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The Gift of
Rev. Andrew P. Peabody, D.D.
Plummer Professor
in
Harvard University,
10 Dec., 1860.

Daniel Webster

Daniel Webster

THE

UNION TEXT BOOK:

CONTAINING

SELECTIONS FROM THE WRITINGS

OF

DANIEL WEBSTER;

THE DECLARATION OF INDEPENDENCE;

THE CONSTITUTION OF THE UNITED STATES;

AND

WASHINGTON'S FAREWELL ADDRESS.

WITH COPIOUS INDEXES.

LIBERTY AND UNION, NOW AND FOREVER, ONE AND INSEPARABLE.
ONE COUNTRY, ONE CONSTITUTION, ONE DESTINY.

FOR THE HIGHER CLASSES OF EDUCATIONAL INSTITUTIONS,
AND FOR HOME READING.

PHILADELPHIA:
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TO THE

GOVERNOR

OF

EACH STATE IN THE UNION

COMPOSING THE

UNITED STATES OF AMERICA,

This Volume

IS MOST RESPECTFULLY DEDICATED

BY

THE EDITOR.

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PREFACE.

THE presentation of the CONSTITUTIONAL TEXT BOOK to the People of the United States certainly needs no apology; for it contains the *Fundamental Law of our Country*, with an Introduction selected from the writings of him who has justly been styled the EXPOUNDER AND THE DEFENDER OF THE CONSTITUTION.

In making the Selections from the Writings of Mr. WEBSTER, great care has been taken to select such parts as may be considered *National*, and which will tend to strengthen the opinions of the old, and to impress the young with A LOVE OF COUNTRY, A VENERATION FOR THE CONSTITUTION, A RESPECT FOR THE MEMORY OF THE GREAT AND GOOD MEN WHO FOUNDED OUR REPUBLIC AND WHO HAVE PASSED AWAY, A FERVENT ATTACHMENT TO THE UNION, TO LIBERTY, TO PEACE, TO ORDER, AND TO LAW; and will also teach lessons of WISDOM, of MORALITY, and of RELIGION.

When the work is used as a *Class Book*, the instructor will readily find in the Indexes suggestions for all the Questions necessary to be asked; and the Answers of the students should always be in the very words of the text.

BOSTON, January 1, 1854.

DEATH OF DANIEL WEBSTER.

"WITHIN a few weeks, the public mind has been deeply affected by the death of DANIEL WEBSTER, filling, at his decease, the office of Secretary of State. His associates in the Executive Government have sincerely sympathized with his family, and the public generally, on this mournful occasion. His commanding talents, his great political and professional eminence, his well-tried patriotism, and his long and faithful services in the most important public trusts, have caused his death to be lamented throughout the country and have earned for him a lasting place in our history."

[*Extract from the President's Message.*

SENATE OF THE UNITED STATES,

TUESDAY, DECEMBER 14, 1852.

After various topics of the Message of the President had been referred to the appropriate Committees, Mr. Davis * rose, and addressed the Senate as follows: —

Mr. President: — I rise to bring to the notice of the Senate an event which has touched the sensibilities and awakened sympathies in all parts of the country — an event which has appropriately found a place in the message of the President, and ought not to be passed in silence by the Senate. Sir, we have, within a short space, mourned the death of a succession of men illustrious by their services, their talents, and worth. Not only have seats in this Chamber, in the other House, and upon the bench of the Court been vacated, but death has entered the Executive Mansion, and claimed that beloved patriot who filled the Chair of State.

The portals of the tomb had scarcely closed upon the remains of a great and gifted member of this House, before they are again opened to receive another marked man of our day — one who stood out with a singular prominence before his countrymen, challenging, by his extraordinary intellectual power, the admiration of his fellow-men.

Daniel Webster, (a name familiar in the remotest cabin upon the frontier,) after mixing actively with the councils of his country for forty years, and having reached the limits of life assigned to mortals, has descended to the mansions of the dead, and the damp earth now rests upon his manly form.

That magic voice, which was wont to fill this place with admiring listeners, is hushed in eternal silence. The multitude will no longer bend in breathless attention from the galleries to catch his words, and to watch the speaking eloquence of his countenance, animated by the fervor of his mind; nor will the Senate again be instructed by the outpourings of his profound intellect, matured by long experience, and enriched by copious streams from the fountains of knowledge. The thread of life is cut; the immortal is separated from the mortal; and the products of a great and cultivated mind are all that remain to us of the jurist and legislator.

Few men have attracted so large a share of public attention, or maintained for so long a period an equal degree of mental distinction. In this and the other House there were rivals for fame, and he grappled in

* John Davis, of Massachusetts.

debate with the master minds of the day, and achieved in such manly conflict the imperishable renown connected with his name.

Upon most of the questions which have been agitated in Congress during his period of service, his voice was heard. Few orators have equalled him in a masterly power of condensation, or in that clear, logical arrangement of proofs and arguments which secures the attention of the hearer, and holds it with unabated interest.

These speeches have been preserved, and many of them will be read as forensic models, and will command admiration for their great display of intellectual power and extensive research. This is not a suitable occasion to discuss the merits of political productions, or to compare them with the effusions of great contemporaneous minds, or to speak of the principles advocated. All this belongs to the future, and history will assign each great name the measure of its enduring fame.

Mr. WEBSTER was conspicuous not only among the most illustrious men in the halls of legislation, but his fame shone with undiminished lustre in the judicial tribunals as an advocate, where he participated in many of the most important discussions. On the bench were Marshall, Story, and their brethren — men of patient research and comprehensive scope of intellect — who have left behind them, in our judicial annals, proofs of greatness which will secure profound veneration and respect for their names. At the bar stood Pinckney, Wirt, Emmett, and many others who adorned and gave exalted character to the profession. Amid these luminaries of the bar he discussed many of the great questions raised in giving construction to organic law; and no one shone with more intense brightness, or brought into the conflict of mind more learning, higher proofs of severe mental discipline, or more copious illustration.

Among such men, and in such honorable combat, the foundations of that critical knowledge of constitutional law, which afterward became a prominent feature of his character, and entered largely into his opinions as a legislator, were laid.

The arguments made at this forum displayed a careful research into the history of the formation of the Federal Union, and an acute analysis of the fundamental provisions of the Constitution.

Probably no man has penetrated deeper into the principles, or taken a more comprehensive and complete view of the Union of the States, than that great man, Chief Justice Marshall. No question was so subtle as to elude his grasp, or so complex as to defy his penetration. Even the great and the learned esteemed it no condescension to listen to the teachings of his voice; and no one profited more by his wisdom, or more venerated his character, than Mr. WEBSTER.

To stand among such men with marked distinction, as did Mr. WEBSTER, is an association which might satisfy any ambition, whatever

might be its aspirations. But there, among those illustrious men, who have finished their labors and gone to their final homes, he made his mark strong and deep, which will be seen and traced by posterity.

But I need not dwell on that which is familiar to all readers who feel an interest in such topics; nor need I notice the details of his private life — since hundreds of pens have been employed in revealing all the facts, and in describing, in the most vivid manner, all the scenes which have been deemed attractive; nor need I reiterate the fervent language of eulogy which has been poured out in all quarters from the press, the pulpit, the bar, legislative bodies, and public assemblies — since his own productions constitute his best eulogy.

I could not, if I were to attempt it, add any thing to the strength or beauty of the manifold evidences which have been exhibited of the length, the breadth, and height of his fame; nor is there any occasion for such proofs in the Senate — the place where his face was familiar, where many of his greatest efforts were made, and where his intellectual powers were appreciated. Here he was seen and heard, and nowhere else will his claim to great distinction be more cheerfully admitted.

But the places which have known him will know him no more! His form will never rise here again; his voice will not be heard, nor his expressive countenance seen. He is dead. In his last moments he was surrounded by his family and friends at his own home; and, while consoled by their presence, his spirit took its flight to other regions. All that remained has been committed to its kindred earth.

Divine Providence gives us illustrious men, but they, like others, when their mission is ended, yield to the inexorable law of our being. He who gives also takes away, but never forsakes his faithful children.

The places of those possessing uncommon gifts are vacated, the sod rests upon the once manly form, now as cold and lifeless as itself, and the living are filled with gloom and desolation. But the world rolls on; Nature loses none of its charms; the sun rises with undiminished splendor; the grass loses none of its freshness; nor do the flowers cease to fill the air with fragrance. Nature, untouched by human woe, proclaims the immutable law of Providence, that decay follows growth, and that He who takes away never fails to give.

Sir, I propose the following resolutions, believing that they will meet the cordial approbation of the Senate:

Resolved, That the Senate has received with profound sensibility the announciation from the President of the death of the late Secretary of State, DANIEL WEBSTER, who was long a highly distinguished member of this body.

Resolved, That the Senate will manifest its respect for the memory of the deceased, and its sympathy with his bereaved family, by wearing the usual badge of mourning for thirty days.

Resolved, That these proceedings be communicated to the House of Representatives.

TABLE

OF THE

PRESIDENTS OF THE UNITED STATES.

		Term.	Time of Service.	Years.	Mos.	Days.
1.	GEORGE WASHINGTON,	1st & 2d.	1789 to 1797,	8		
2.	John Adams,	3d.	1797 to 1801,	4		
3.	Thomas Jefferson,	4th & 5th.	1801 to 1809,	8		
4.	James Madison,	6th & 7th.	1809 to 1817,	8		
5.	James Monroe,	8th & 9th.	1817 to 1825,	8		
6.	John Quincy Adams,	10th.	1825 to 1829,	4		
7.	Andrew Jackson,	11th & 12th.	1829 to 1837,	8		
8.	Martin Van Buren,	13th.	1837 to 1841,	4		
9.	William Henry Harrison,	14th.	1841 to 1841,		1	
10.	John Tyler,	14th.	1841 to 1845,	3	11	
11.	James Knox Polk,	15th.	1845 to 1849,	4		
12.	Zachary Taylor,	16th.	1849 to 1850,	1	4	5
13.	Millard Fillmore,	16th.	1850 to 1853,	2	7	26
14.	Franklin Pierce,		1853 to			

The following Table of the dates in which Mr. Webster was in Congress will be found convenient.

REPRESENTATIVE IN CONGRESS.

FROM NEW HAMPSHIRE.

1813 to 1815.
1815 to 1817.

FROM MASSACHUSETTS.

1823 to 1825.
1825 to 1827.

SENATOR IN CONGRESS.

1827 to 1833.
1833 to 1839.
1839 to 1841, resigned February 22.
1845 to 1850, resigned July 22.

SECRETARY OF STATE TO THE UNITED STATES.

1841 to 1843, resigned May 8.
1850 to 1852, to decease, October 24.

CONSTITUTIONAL TEXT BOOK.

SELECTIONS FROM THE WRITINGS

OF

DANIEL WEBSTER.

FIRST SETTLEMENT OF NEW ENGLAND.

Discourse delivered at Plymouth, on the 22d of December, 1820.

LET us rejoice that we behold this day. Let us be thankful that we have lived to see the bright and happy breaking of the auspicious morn, which commences the third century of the history of New England. Auspicious, indeed, — bringing a happiness beyond the common allotment of Providence to men, — full of present joy, and gilding with bright beams the prospect of futurity, is the dawn that awakens us to the commemoration of the landing of the Pilgrims.

Living at an epoch which naturally marks the progress of the history of our native land, we have come hither to celebrate the great event with which that history commenced. For ever honored be this, the place of our fathers' refuge! For ever remembered the day which saw them, weary and distressed, broken in every thing but spirit, poor in all but faith and courage, at last secure from the dangers of wintry seas, and impressing this shore with the first footsteps of civilized man!

It is a noble faculty of our nature which enables us to connect our thoughts, our sympathies, and our happiness with what is distant in place or time; and, looking before and after, to hold communion at once with our ancestors and our posterity. Human and mortal although we are, we are nevertheless not mere insulated beings, without relation to the past or the future. Neither the point of time, nor the spot of earth, in which we physically live, bounds our ra-

tional and intellectual enjoyments. We live in the past by a knowledge of its history; and in the future by hope and anticipation. By ascending to an association with our ancestors; by contemplating their example and studying their character; by partaking their sentiments, and imbibing their spirit; by accompanying them in their toils, by sympathizing in their sufferings, and rejoicing in their successes and their triumphs; we seem to belong to their age, and to mingle our own existence with theirs. We become their contemporaries, live the lives which they lived, endure what they endured, and partake in the rewards which they enjoyed. And in like manner, by running along the line of future time, by contemplating the probable fortunes of those who are coming after us, by attempting something which may promote their happiness, and leave some not dishonorable memorial of ourselves for their regard, when we shall sleep with the fathers, we protract our own earthly being, and seem to crowd whatever is future, as well as all that is past, into the narrow compass of our earthly existence. As it is not a vain and false, but an exalted and religious imagination, which leads us to raise our thoughts from the orb, which, amidst this universe of worlds, the Creator has given us to inhabit, and to send them with something of the feeling which nature prompts, and teaches to be proper among children of the same Eternal Parent, to the contemplation of the myriads of fellow-beings, with which his goodness has peopled the infinite of space; so neither is it false or vain to consider ourselves as interested and connected with our whole race, through all time; allied to our ancestors; allied to our posterity; closely compacted on all sides with others; ourselves being but links in the great chain of being, which begins with the origin of our race, runs onward through its successive generations, binding together the past, the present, and the future, and terminating at last, with the consummation of all things earthly, at the throne of God.

There may be, and there often is, indeed, a regard for ancestry, which nourishes only a weak pride; as there is also a care for posterity, which only disguises an habitual avarice, or hides the workings of a low and grovelling vanity.

But there is also a moral and philosophical respect for our ancestors, which elevates the character and improves the heart. Next to the sense of religious duty and moral feeling, I hardly know what should bear with stronger obligation on a liberal and enlightened mind, than a consciousness of alliance with excellence which is departed; and a consciousness, too, that in its acts and conduct, and even in its sentiments and thoughts, it may be actively operating on the happiness of those who come after it.

Standing in this relation to our ancestors and our posterity, we are assembled on this memorable spot, to perform the duties which that relation and the present occasion impose upon us. We have come to this Rock, to record here our homage for our Pilgrim Fathers; our sympathy in their sufferings; our gratitude for their labors; our admiration of their virtues; our veneration for their piety; and our attachment to those principles of civil and religious liberty, which they encountered the dangers of the ocean, the storms of heaven, the violence of savages, disease, exile, and famine, to enjoy and to establish. And we would leave here, also, for the generations which are rising up rapidly to fill our places, some proof that we have endeavored to transmit the great inheritance unimpaired; that in our estimate of public principles and private virtue, in our veneration of religion and piety, in our devotion to civil and religious liberty, in our regard for whatever advances human knowledge or improves human happiness, we are not altogether unworthy of our origin.

There is a local feeling connected with this occasion, too strong to be resisted; a sort of *genius of the place*, which inspires and awes us. We feel that we are on the spot where the first scene of our history was laid; where the hearths and altars of New England were first placed; where Christianity, and civilization, and letters made their first lodgment, in a vast extent of country, covered with a wilderness, and peopled by roving barbarians. We are here, at the season of the year at which the event took place. The imagination irresistibly and rapidly draws around us the principal features and the leading characters in the original scene.

We cast our eyes abroad on the ocean, and we see where the little bark, with the interesting group upon its deck, made its slow progress to the shore. We look around us, and behold the hills and promontories where the anxious eyes of our fathers first saw the places of habitation and of rest. We feel the cold which benumbed, and listen to the winds which pierced them. Beneath us is the Rock, on which New England received the feet of the Pilgrims. We seem even to behold them, as they struggle with the elements, and, with toilsome efforts, gain the shore. We listen to the chiefs in council; we see the unexampled exhibition of female fortitude and resignation; we hear the whisperings of youthful impatience, and we see, what a painter of our own has also represented by his pencil, chilled and shivering childhood, houseless, but for a mother's arms, couchless, but for a mother's breast, till our own blood almost freezes.

The settlement of New England by the colony which landed here on the twenty-second of December, sixteen hundred and twenty, although not the first European establishment in what now constitutes the United States, was yet so peculiar in its causes and character, and has been followed and must still be followed by such consequences, as to give it a high claim to lasting commemoration. On these causes and consequences, more than on its immediately attendant circumstances, its importance, as an historical event, depends.

Of the motives which influenced the first settlers to a voluntary exile, induced them to relinquish their native country, and to seek an asylum in this then unexplored wilderness, the first and principal, no doubt, were connected with religion. They sought to enjoy a higher degree of religious freedom, and what they esteemed a purer form of religious worship, than was allowed to their choice, or presented to their imitation, in the Old World. The love of religious liberty is a stronger sentiment, when fully excited, than an attachment to civil or political freedom. That freedom which the conscience demands, and which men feel bound by their hope of salvation to contend for, can hardly fail to be attained. Conscience, in the cause of religion and the worship of the Deity, prepares the mind to act and to suffer

beyond almost all other causes. It sometimes gives an impulse so irresistible, that no fetters of power or of opinion can withstand it. History instructs us that this love of religious liberty, a compound sentiment in the breast of man, made up of the clearest sense of right and the highest conviction of duty, is able to look the sternest despotism in the face, and, with means apparently most inadequate, to shake principalities and powers. There is a boldness, a spirit of daring, in religious reformers, not to be measured by the general rules which control men's purposes and actions. If the hand of power be laid upon it, this only seems to augment its force and its elasticity, and to cause its action to be more formidable and violent. Human invention has devised nothing, human power has compassed nothing, that can forcibly restrain it, when it breaks forth. Nothing can stop it, but to give way to it; nothing can check it, but indulgence. It loses its power only when it has gained its object. The principle of toleration, to which the world has come so slowly, is at once the most just and the most wise of all principles. Even when religious feeling takes a character of extravagance and enthusiasm, and seems to threaten the order of society and shake the columns of the social edifice, its principal danger is in its restraint. If it be allowed indulgence and expansion, like the elemental fires, it only agitates, and perhaps purifies, the atmosphere; while its efforts to throw off restraint would burst the world asunder.

The peculiar character, condition, and circumstances of the colonies which introduced civilization and an English race into New England, afford a most interesting and extensive topic of discussion. On these, much of our subsequent character and fortune has depended. Their influence has essentially affected our whole history, through the two centuries which have elapsed; and as they have become intimately connected with government, laws, and property, as well as with our opinions on the subjects of religion and civil liberty, that influence is likely to continue to be felt through the centuries which shall succeed. Emigration from one region to another, and the emission of colonies to

people countries more or less distant from the residence of the parent stock, are common incidents in the history of mankind; but it has not often, perhaps never, happened, that the establishment of colonies should be attempted under circumstances, however beset with present difficulties and dangers, yet so favorable to ultimate success, and so conducive to magnificent results, as those which attended the first settlements on this part of the American continent. In other instances, emigration has proceeded from a less exalted purpose, in periods of less general intelligence, or more without plan and by accident; or under circumstances, physical and moral, less favorable to the expectation of laying a foundation for great public prosperity and future empire.

A great resemblance exists, obviously, between all the English colonies established within the present limits of the United States; but the occasion attracts our attention more immediately to those which took possession of New England, and the peculiarities of these furnish a strong contrast with most other instances of colonization.

Different, indeed, most widely different, from all other instances of emigration and plantation, were the condition, the purposes, and the prospects of our fathers, when they established their infant colony upon this spot. They came hither to a land from which they were never to return. Hither they had brought, and here they were to fix, their hopes, their attachments, and their objects in life. Some natural tears they shed, as they left the pleasant abodes of their fathers, and some emotions they suppressed, when the white cliffs of their native country, now seen for the last time, grew dim to their sight. They were acting, however, upon a resolution not to be daunted. With whatever stifled regrets, with whatever occasional hesitation, with whatever appalling apprehensions, which might sometimes arise with force to shake the firmest purpose, they had yet committed themselves to Heaven and the elements; and a thousand leagues of water soon interposed to separate them forever from the region which gave them birth. A new existence awaited them here; and when they saw these shores, rough, cold, barbarous, and barren, as then they were, they beheld their

country. That mixed and strong feeling, which we call love of country, and which is, in general, never extinguished in the heart of man, grasped and embraced its proper object here. Whatever constitutes *country*, except the earth and the sun, all the moral causes of affection and attachment which operate upon the heart, they had brought with them to their new abode. Here were now their families and friends, their homes, and their property. Before they reached the shore, they had established the elements of a social system, and at a much earlier period had settled their forms of religious worship. At the moment of their landing, therefore, they possessed institutions of government, and institutions of religion: and friends and families, and social and religious institutions, framed by consent, founded on choice and preference, how nearly do these fill up our whole idea of country! The morning that beamed on the first night of their repose saw the Pilgrims already *at home* in their country. There were political institutions, and civil liberty, and religious worship. Poetry has fancied nothing, in the wanderings of heroes, so distinct and characteristic. Here was man, indeed, unprotected, and unprovided for, on the shore of a rude and fearful wilderness; but it was politic, intelligent, and educated man. Every thing was civilized but the physical world. Institutions, containing in substance all that ages had done for human government, were organized in a forest. Cultivated mind was to act on uncultivated nature; and, more than all, a government and a country were to commence, with the very first foundations laid under the divine light of the Christian religion. Happy auspices of a happy futurity! Who would wish that his country's existence had otherwise begun? Who would desire the power of going back to the ages of fable? Who would wish for an origin obscured in the darkness of antiquity? Who would wish for other emblazoning of his country's heraldry, or other ornaments of her genealogy, than to be able to say, that her first existence was with intelligence, her first breath the inspiration of liberty, her first principle the truth of divine religion?

Local attachments and sympathies would ere long spring

up in the breasts of our ancestors, endearing to them the place of their refuge. Whatever natural objects are asso ciated with interesting scenes and high efforts, obtain a hold on human feeling, and demand from the heart a sort of recognition and regard. This Rock soon became hallowed in the esteem of the Pilgrims, and these hills grateful to their sight. Neither they nor their children were again to till the soil of England, nor again to traverse the seas which surround her. But here was a new sea, now open to their enterprise, and a new soil, which had not failed to respond gratefully to their laborious industry, and which was already assuming a robe of verdure. Hardly had they provided shelter for the living, ere they were summoned to erect sepulchres for the dead. The ground had become sacred, by enclosing the remains of some of their companions and connections. A parent, a child, a husband, or a wife, had gone the way of all flesh, and mingled with the dust of New England. We naturally look with strong emotions to the spot, though it be a wilderness, where the ashes of those we have loved repose. Where the heart has laid down what it loved most, there it is desirous of laying itself down. No sculptured marble, no enduring monument, no honorable inscription, no ever-burning taper that would drive away the darkness of the tomb, can soften our sense of the reality of death, and hallow to our feelings the ground which is to cover us, like the consciousness that we shall sleep, dust to dust, with the objects of our affections.

In a short time other causes sprung up to bind the Pilgrims with new cords to their chosen land. Children were born, and the hopes of future generations arose, in the spot of their new habitation. The second generation found this the land of their nativity, and saw that they were bound to its fortunes. They beheld their fathers' graves around them, and while they read the memorials of their toils and labors, they rejoiced in the inheritance which they found bequeathed to them.

Under the influence of these causes, it was to be expected, that an interest and a feeling should arise here, entirely different from the interest and feeling of mere Englishmen;

and all the subsequent history of the Colonies proves this to have actually and gradually taken place. With a general acknowledgment of the supremacy of the British crown, there was, from the first, a repugnance to an entire submission to the control of British legislation. The Colonies stood upon their charters, which, as they contended, exempted them from the ordinary power of the British Parliament, and authorized them to conduct their own concerns by their own counsels. They utterly resisted the notion that they were to be ruled by the mere authority of the government at home, and would not endure even that their own charter governments should be established on the other side of the Atlantic. It was not a controlling or pro ecting board in England, but a government of their own, and existing immediately within their limits, which could satisfy their wishes. It was easy to foresee, what we know also to have happened, that the first great cause of collision and jealousy would be, under the notion of political economy then and still prevalent in Europe, an attempt on the part of the mother country to monopolize the trade of the Colonies. Whoever has looked deeply into the causes which produced our Revolution has found, if I mistake not, the original principle far back in this claim, on the part of England, to monopolize our trade, and a continued effort on the part of the Colonies to resist or evade that monopoly; if, indeed, it be not still more just and philosophical to go farther back, and to consider it decided, that an independent government must arise here, the moment it was ascertained that an English colony, such as landed in this place, could sustain itself against the dangers which surrounded it, and, with other similar establishments, overspread the land with an English population. Accidental causes retarded at times, and at times accelerated, the progress of the controversy. The Colonies wanted strength, and time gave it to them. They required measures of strong and palpable injustice, on the part of the mother country, to justify resistance; the early part of the late king's reign furnished them. They needed spirits of high order, of great daring, of long foresight, and of commanding power, to seize the favoring oc-

casion to strike a blow, which should sever, for all time, the tie of colonial dependence; and these spirits were found, in all the extent which that or any crisis could demand, in Otis, Adams, Hancock, and the other immediate authors of our independence.

When the first century closed, the progress of the country appeared to have been considerable; notwithstanding that, in comparison with its subsequent advancement, it now seems otherwise. A broad and lasting foundation had been laid; excellent institutions had been established; many of the prejudices of former times had been removed; a more liberal and catholic spirit on subjects of religious concern had begun to extend itself, and many things conspired to give promise of increasing future prosperity. Great men had arisen in public life, and the liberal professions. The Mathers, father and son, were then sinking low in the western horizon; Leverett, the learned, the accomplished, the excellent Leverett, was about to withdraw his brilliant and useful light. In Pemberton great hopes had been suddenly extinguished, but Prince and Coleman were in our sky; and along the east had begun to flash the crepuscular light of a great luminary which was about to appear, and which was to stamp the age with his own name, as the age of Franklin.

The second century opened upon New England under circumstances which evinced that much had already been accomplished, and that still better prospects and brighter hopes were before her. She had laid, deep and strong, the foundations of her society. Her religious principles were firm, and her moral habits exemplary. Her public schools had begun to diffuse widely the elements of knowledge; and the College, under the excellent and acceptable administration of Leverett, had been raised to a high degree of credit and usefulness.

The commercial character of the country, notwithstanding all discouragements, had begun to display itself, and *five hundred vessels*, then belonging to Massachusetts, placed her, in relation to commerce, thus early at the head of the Colonies. An author who wrote very near the close of the first

century says: — "New England is almost deserving that *noble name*, so mightily hath it increased; and from a small settlement at first, is now become a *very populous* and *flourishing* government. The *capital city*, Boston, is a place of *great wealth and trade;* and by much the largest of any in the English empire of America; and not exceeded but by few cities, perhaps two or three, in all the American world."

In New England the war of the Revolution commenced. I address those who remember the memorable 19th of April, 1775; who shortly after saw the burning spires of Charlestown; who beheld the deeds of Prescott, and heard the voice of Putnam amidst the storm of war, and saw the generous Warren fall, the first distinguished victim in the cause of liberty. It would be superfluous to say, that no portion of the country did more than the States of New England to bring the Revolutionary struggle to a successful issue. It is scarcely less to her credit, that she saw early the necessity of a closer union of the States, and gave an efficient and indispensable aid to the establishment and organization of the federal government.

Internal improvement followed the establishment and prosperous commencement of the present government. More has been done for roads, canals, and other public works, within the last thirty years, than in all our former history. In the first of these particulars, few countries excel the New England States. The astonishing increase of their navigation and trade is known to every one, and now belongs to the history of our national wealth.

We may flatter ourselves, too, that literature and taste have not been stationary, and that some advancement has been made in the elegant, as well as in the useful arts.

The nature and constitution of society and government in this country are interesting topics, to which I would devote what remains of the time allowed to this occasion. Of our system of government the first thing to be said is, that it is really and practically a free system. It originates entirely with the people, and rests on no other foundation than their assent. To judge of its actual operation, it is not enough to look merely at the form of its construction. The

practical character of government depends often on a variety of considerations, besides the abstract frame of its constitutional organization. Among these are the condition and tenure of property; the laws regulating its alienation and descent; the presence or absence of a military power; an armed or unarmed yeomanry; the spirit of the age, and the degree of general intelligence. In these respects it cannot be denied that the circumstances of this country are most favorable to the hope of maintaining the government of a great nation on principles entirely popular. In the absence of military power, the nature of government must essentially depend on the manner in which property is holden and distributed. There is a natural influence belonging to property, whether it exists in many hands or few; and it is on the rights of property that both despotism and unrestrained popular violence ordinarily commence their attacks. Our ancestors began their system of government here under a condition of comparative equality in regard to wealth, and their early laws were of a nature to favor and continue this equality.

A republican form of government rests not more on political constitutions, than on those laws which regulate the descent and transmission of property. Governments like ours could not have been maintained, where property was holden according to the principles of the feudal system; nor, on the other hand, could the feudal constitution possibly exist with us. Our New England ancestors brought hither no great capitals from Europe; and if they had, there was nothing productive in which they could have been invested. They left behind them the whole feudal policy of the other continent. They broke away at once from the system of military service established in the Dark Ages, and which continues, down even to the present time, more or less to affect the condition of property all over Europe. They came to a new country. There were, as yet, no lands yielding rent, and no tenants rendering service. The whole soil was unreclaimed from barbarism. They were themselves, either from their original condition, or from the necessity of their common interest, nearly on a general level in respect to

property. Their situation demanded a parcelling out and division of the lands, and it may be fairly said, that this necessary act *fixed the future frame and form of their government.* The character of their political institutions was determined by the fundamental laws respecting property. The laws rendered estates divisible among sons and daughters. The right of primogeniture, at first limited and curtailed, was afterwards abolished. The property was all freehold. The entailment of estates, long trusts, and the other processes for fettering and tying up inheritances, were not applicable to the condition of society, and seldom made use of. On the contrary, alienation of the land was every way facilitated, even to the subjecting of it to every species of debt. The establishment of public registries, and the simplicity of our forms of conveyance, have greatly facilitated the change of real estate from one proprietor to another. The consequence of all these causes has been, a great subdivision of the soil, and a great equality of condition; the true basis, most certainly, of a popular government. "If the people," says Harrington, "hold three parts in four of the territory, it is plain there can neither be any single person nor nobility able to dispute the government with them; in this case, therefore, *except force be interposed,* they govern themselves."

Connected with this division of property, and the consequent participation of the great mass of people in its possession and enjoyments, is the system of representation, which is admirably accommodated to our condition, better understood among us, and more familiarly and extensively practised, in the higher and in the lower departments of government, than it has been by any other people. Great facility has been given to this in New England by the early division of the country into townships or small districts, in which all concerns of local police are regulated, and in which representatives to the legislature are elected. Nothing can exceed the utility of these little bodies. They are so many councils or parliaments, in which common interests are discussed, and useful knowledge acquired and communicated.

I must yet advert to another most interesting topic, — the Free Schools. In this particular, New England may be allowed to claim, I think, a merit of a peculiar character. She early adopted and has constantly maintained the principle, that it is the undoubted right and the bounden duty of government to provide for the instruction of all youth. That which is elsewhere left to chance or to charity, we secure by law. For the purpose of public instruction, we hold every man subject to taxation in proportion to his property, and we look not to the question, whether he himself have, or have not, children to be benefited by the education for which he pays. We regard it as a wise and liberal system of police, by which property, and life, and the peace of society are secured. We seek to prevent in some measure the extension of the penal code, by inspiring a salutary and conservative principle of virtue and of knowledge in an early age. We strive to excite a feeling of respectability, and a sense of character, by enlarging the capacity and increasing the sphere of intellectual enjoyment. By general instruction, we seek, as far as possible, to purify the whole moral atmosphere ; to keep good sentiments uppermost, and to turn the strong current of feeling and opinion, as well as the censures of the law and the denunciations of religion, against immorality and crime. We hope for a security beyond the law, and above the law, in the prevalence of an enlightened and well-principled moral sentiment. We hope to continue and prolong the time, when, in the villages and farm houses of New England, there may be undisturbed sleep within unbarred doors. And knowing that our government rests directly on the public will, in order that we may preserve it we endeavor to give a safe and proper direction to that public will. We do not, indeed, expect all men to be philosophers or statesmen ; but we confidently trust, and our expectation of the duration of our system of government rests on that trust, that, by the diffusion of general knowledge and good and virtuous sentiments, the political fabric may be secure, as well against open violence and overthrow, as against the slow, but sure, undermining of licentiousness.

A conviction of the importance of public instruction was

one of the earliest sentiments of our ancestors. No lawgiver of ancient or modern times has expressed more just opinions, or adopted wiser measures, than the early records of the Colony of Plymouth show to have prevailed here. Assembled on this very spot, a hundred and fifty-three years ago, the legislature of this Colony declared, "Forasmuch as the maintenance of good literature doth much tend to the advancement of the weal and flourishing state of societies and republics, this Court doth therefore order, that in whatever township in this government, consisting of fifty families or upwards, any meet man shall be obtained to teach a grammar school, such township shall allow at least twelve pounds, to be raised by rate on all the inhabitants."

Having provided that all youth should be instructed in the elements of learning by the institution of free schools, our ancestors had yet another duty to perform. Men were to be educated for the professions and the public. For this purpose they founded the University, and with incredible zeal and perseverance they cherished and supported it, through all trials and discouragements. On the subject of the University, it is not possible for a son of New England to think without pleasure, or to speak without emotion. Nothing confers more honor on the State where it is established, or more utility on the country at large. A respectable university is an establishment which must be the work of time. If pecuniary means were not wanting, no new institution could possess character and respectability at once. We owe deep obligation to our ancestors, who began, almost on the moment of their arrival, the work of building up this institution.

Lastly, our ancestors established their system of government on morality and religious sentiment. Moral habits, they believed, cannot safely be trusted on any other foundation than religious principle, nor any government be secure which is not supported by moral habits. Living under the heavenly light of revelation, they hoped to find all the social dispositions, all the duties which men owe to each other and to society, enforced and performed. Whatever makes men good Christians, makes them good citizens. Our fathers

came here to enjoy their religion free and unmolested; and, at the end of two centuries, there is nothing upon which we can pronounce more confidently, nothing of which we can express a more deep and earnest conviction, than of the inestimable importance of that religion to man, both in regard to this life and that which is to come.

If the blessings of our political and social condition have not been too highly estimated, we cannot well overrate the responsibility and duty which they impose upon us. We hold these institutions of government, religion, and learning, to be transmitted, as well as enjoyed. We are in the line of conveyance, through which whatever has been obtained by the spirit and efforts of our ancestors is to be communicated to our children.

We are bound to maintain public liberty, and, by the example of our own systems, to convince the world that order and law, religion and morality, the rights of conscience, the rights of persons, and the rights of property, may all be preserved and secured, in the most perfect manner, by a government entirely and purely elective. If we fail in this, our disaster will be signal, and will furnish an argument, stronger than has yet been found, in support of those opinions which maintain that government can rest safely on nothing but power and coercion. As far as experience may show errors in our establishments, we are bound to correct them; and if any practices exist, contrary to the principles of justice and humanity within the reach of our laws or our influence, we are inexcusable if we do not exert ourselves to restrain and abolish them.

We are bound, not only to maintain the general principles of public liberty, but to support also those existing forms of government which have so well secured its enjoyment, and so highly promoted the public prosperity. It is now more than thirty years that these States have been united under the Federal Constitution, and whatever fortune may await them hereafter, it is impossible that this period of their history should not be regarded as distinguished by signal prosperity and success. They must be sanguine indeed, who can hope for benefit from change. Whatever

division of the public judgment may have existed in relation to particular measures of the government, all must agree, one should think, in the opinion, that in its general course it has been eminently productive of public happiness. Its most ardent friends could not well have hoped from it more than it has accomplished; and those who disbelieved or doubted ought to feel less concerned about predictions which the event has not verified, than pleasure in the good which has been obtained. Whoever shall hereafter write this part of our history, although he may see occasional errors or defects, will be able to record no great failure in the ends and objects of government. Still less will he be able to record any series of lawless and despotic acts, or any successful usurpation. His page will contain no exhibition of provinces depopulated, of civil authority habitually trampled down by military power, or of a community crushed by the burden of taxation. He will speak, rather, of public liberty protected, and public happiness advanced; of increased revenue, and population augmented beyond all example; of the growth of commerce, manufactures, and the arts; and of that happy condition, in which the restraint and coercion of government are almost invisible and imperceptible, and its influence felt only in the benefits which it confers. We can entertain no better wish for our country, than that this government may be preserved; nor have a clearer duty than to maintain and support it in the full exercise of all its just constitutional powers.

The cause of science and literature also imposes upon us an important and delicate trust. The wealth and population of the country are now so far advanced, as to authorize the expectation of a correct literature and a well-formed taste, as well as respectable progress in the abstruse sciences. The country has risen from a state of colonial subjection; it has established an independent government, and is now in the undisturbed enjoyment of peace and political security. The elements of knowledge are universally diffused, and the reading portion of the community is large. Let us hope that the present may be an auspicious era of literature. If, almost on the day of their landing, our ancestors

founded schools and endowed colleges, what obligations do not rest upon us, living under circumstances so much more favorable both for providing and for using the means of education? Literature becomes free institutions. It is the graceful ornament of civil liberty, and a happy restraint on the asperities which political controversies sometimes occasion. Just taste is not only an embellishment of society, but it rises almost to the rank of the virtues, and diffuses positive good throughout the whole extent of its influence. There is a connection between right feeling and right principles, and truth in taste is allied with truth in morality. With nothing in our past history to discourage us, and with something in our present condition and prospects to animate us, let us hope, that, as it is our fortune to live in an age when we may behold a wonderful advancement of the country in all its other great interests, we may see also equal progress and success attend the cause of letters.

Finally, let us not forget the religious character of our origin. Our fathers were brought hither by their high veneration for the Christian religion. They journeyed by its light, and labored in its hope. They sought to incorporate its principles with the elements of their society, and to diffuse its influence through all their institutions, civil, political, or literary. Let us cherish these sentiments, and extend this influence still more widely; in the full conviction, that that is the happiest society which partakes in the highest degree of the mild and peaceful spirit of Christianity.

The hours of this day are rapidly flying, and this occasion will soon be passed. Neither we nor our children can expect to behold its return. They are in the distant regions of futurity, they exist only in the all-creating power of God, who shall stand here a hundred years hence, to trace, through us, their descent from the Pilgrims, and to survey, as we have now surveyed, the progress of their country, during the lapse of a century. We would anticipate their concurrence with us in our sentiments of deep regard for our common ancestors. We would anticipate and partake the pleasure with which they will then recount the steps of New England's advancement. On the morning of that

day, although it will not disturb us in our repose, the voice of acclamation and gratitude, commencing on the Rock of Plymouth, shall be transmitted through millions of the sons of the Pilgrims, till it lose itself in the murmurs of the Pacific seas.

We would leave for the consideration of those who shall then occupy our places, some proof that we hold the blessings transmitted from our fathers in just estimation; some proof of our attachment to the cause of good government, and of civil and religious liberty; some proof of a sincere and ardent desire to promote every thing which may enlarge the understandings and improve the hearts of men. And when, from the long distance of a hundred years, they shall look back upon us, they shall know, at least, that we possessed affections, which, running backward and warming with gratitude for what our ancestors have done for our happiness, run forward also to our posterity, and meet them with cordial salutation, ere yet they have arrived on the shore of being.

Advance, then, ye future generations! We would hail you, as you rise in your long succession, to fill the places which we now fill, and to taste the blessings of existence where we are passing, and soon shall have passed, our own human duration. We bid you welcome to this pleasant land of the fathers. We bid you welcome to the healthful skies and the verdant fields of New England. We greet your accession to the great inheritance which we have enjoyed. We welcome you to the blessings of good government and religious liberty. We welcome you to the treasures of science and the delights of learning. We welcome you to the transcendent sweets of domestic life, to the happiness of kindred, and parents, and children. We welcome you to the immeasurable blessings of rational existence, the immortal hope of Christianity, and the light of everlasting truth!

THE REVOLUTION IN GREECE.*

Speech delivered in the House of Representatives of the United States, on the 19th of January, 1824.

On the assembling of Congress, in December, 1823, President Monroe made the revolution in Greece the subject of a paragraph in his annual message, and on the 8th of December Mr. Webster moved the following resolution in the House of Representatives: —

"*Resolved*, That provision ought to be made, by law, for defraying the expense incident to the appointment of an Agent or Commissioner to Greece, whenever the President shall deem it expedient to make such appointment."

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* Since this article was in type, we have met with the following tribute to the memory of Henry Clay and Daniel Webster, delivered in the Greek House of Representatives, December 17, 1852: —

On this day's session in the House of Representatives, Mr. Charmonzies, Deputy of Lamia, having taken the floor, proposed that the House should express its regret on hearing of the death of two of the great men of the United States, namely, Henry Clay and Daniel Webster; and that their names be inscribed on the walls in the peribolus of the Chamber.

The honorable Deputy introduced his proposition in the following address: —

"When the wise government of a great nation — a government worthy of respect for its virtues — goes into mourning, lamenting with its people the death of one of its citizens, that citizen truly must have been a great man. And the privation of a great man is an irreparable loss to all mankind. We took up arms to shake off a heavy yoke — a yoke of reproach, and one difficult to be borne; and the sanctity of our enterprise immediately found protection in the other hemisphere, where, among many others, two truly distinguished men had effectually raised up their Christian voice in behalf of the grievously suffering Greeks. Who among us, the surviving combatants, has forgotten, or who among our youth has not heard from his parents, that, independently of the ravages of war, — famine and sickness were decimating us? And who does not know that the bread and clothing of the Americans of the United States saved multitudes from the grasp of Charon? And who doubts that, if the noble and generous-minded citizens of the United States had lived in our hemisphere, the Greek contest would have been terminated sooner, and with more success?

"Gratitude, Sirs, is a cardinal virtue of man; and the Greek nation was ever of old distinguished for this virtue. Our immortal ancestors erected temples in honor of their benefactors. Among our benefactors, then, are numbered, since 1822, the ever-memorable Daniel Webster and Henry Clay, whose death a whole nation — the people of the United States — this day lament. Let us, therefore, honorable representatives of the Greek nation, unite our tears with those of our noble brothers, the citizens of the United States, for this loss; and, as proof of our gratitude, let us inscribe on the walls of this peribolus the glorious names of the Philhellenes DANIEL WEBSTER and HENRY CLAY."

These, it is believed, are the first official expressions favorable to the independence of Greece, uttered by any of the governments of Christendom, and no doubt contributed powerfully towards the creation of that feeling throughout the civilized world which eventually led to the battle of Navarino, and the liberation of a portion of Greece from the Turkish yoke.

The House of Representatives having, on the 19th of January, resolved itself into a committee of the whole, and this resolution being taken into consideration, Mr. Webster spoke to the following effect:—

I AM afraid, Mr. Chairman, that, so far as my part in this discussion is concerned, those expectations which the public excitement existing on the subject, and certain associations easily suggested by it, have conspired to raise, may be disappointed. An occasion which calls the attention to a spot so distinguished, so connected with interesting recollections, as Greece, may naturaliy create something of warmth and enthusiasm. In a grave, political discussion, however, it is necessary that those feelings should be chastised. I shall endeavor properly to repress them, although it is impossible that they should be altogether extinguished. We must, indeed, fly beyond the civilized world; we must pass the dominion of law and the boundaries of knowledge; we must, more especially, withdraw ourselves from this place, and the scenes and objects which here surround us, — if we would separate ourselves entirely from the influence of all those memorials of herself which ancient Greece has transmitted for the admiration and the benefit of mankind. This free form of government, this popular assembly, the common council held for the common good, — where have we contemplated its earliest models? This practice of free debate and public discussion, the contest of mind with mind, and that popular eloquence, which, if it were now here, on a subject like this, would move the stones of the Capitol, — whose was the language in which all these were first exhibited? Even the edifice in which we assemble, these proportioned columns, this ornamented architecture, all remind us that Greece has existed, and that we, like the rest of mankind, are greatly her debtors.

But I have not introduced this motion in the vain hope

of discharging any thing of this accumulated debt of centuries. I have not acted upon the expectation, that we, who have inherited this obligation from our ancestors, should now attempt to pay it to those who may seem to have inherited from *their* ancestors a right to receive payment. My object is nearer and more immediate. I wish to take occasion of the struggle of an interesting and gallant people, in the cause of liberty and Christianity, to draw the attention of the House to the circumstances which have accompanied that struggle, and to the principles which appear to have governed the conduct of the great states of Europe in regard to it; and to the effects and consequences of these principles upon the independence of nations, and especially upon the institutions of free governments. What I have to say of Greece, therefore, concerns the modern, not the ancient; the living, and not the dead. It regards her, not as she exists in history, triumphant over time, and tyranny, and ignorance; but as she now is, contending, against fearful odds, for being, and for the common privileges of human nature.

As it is never difficult to recite commonplace remarks and trite aphorisms, so it may be easy, I am aware, on this occasion, to remind me of the wisdom which dictates to men a care of their own affairs, and admonishes them, instead of searching for adventures abroad, to leave other men's concerns in their own hands. It may be easy to call this resolution *Quixotic*, the emanation of a crusading or propagandist spirit. All this, and more, may be readily said; but all this, and more, will not be allowed to fix a character upon this proceeding, until that is proved which it takes for granted. Let it first be shown, that in this question there is nothing which can affect the interest, the character, or the duty of this country. Let it be proved, that we are not called upon, by either of these considerations, to express an opinion on the subject to which the resolution relates. Let this be proved, and then it will indeed be made out, that neither ought this resolution to pass, nor ought the subject of it to have been mentioned in the communication of the President to us. But, in my opinion, this cannot be

shown. In my judgment, the subject is interesting to the people and the government of this country, and we are called upon, by considerations of great weight and moment, to express our opinions upon it. These considerations, I think, spring from a sense of our own duty, our character, and our own interest. I wish to treat the subject on such grounds, exclusively, as are truly *American;* but then, in considering it as an American question, I cannot forget the age in which we live, the prevailing spirit of the age, the interesting questions which agitate it, and our own peculiar relation in regard to these interesting questions. Let this be, then, and as far as I am concerned I hope it will be, purely an American discussion; but let it embrace, nevertheless, every thing that fairly concerns America. Let it comprehend, not merely her present advantage, but her permanent interest, her elevated character as one of the free states of the world, and her duty towards those great principles which have hitherto maintained the relative independence of nations, and which have, more especially, made her what she is.

At the commencement of the session, the President, in the discharge of the high duties of his office, called our attention to the subject to which this resolution refers. "A strong hope," says that communication, "has been long entertained, founded on the heroic struggle of the Greeks, that they would succeed in their contest, and resume their equal station among the nations of the earth. It is believed that the whole civilized world takes a deep interest in their welfare. Although no power has declared in their favor, yet none, according to our information, has taken part against them. Their cause and their name have protected them from dangers which might ere this have overwhelmed any other people. The ordinary calculations of interest, and of acquisition with a view to aggrandizement, which mingle so much in the transactions of nations, seem to have had no effect in regard to them. From the facts which have come to our knowledge, there is good cause to believe that their enemy has lost for ever all dominion over them; that Greece will become again an independent nation."

It has appeared to me that the House should adopt some

resolution reciprocating these sentiments, so far as it shall approve them. More than twenty years have elapsed since Congress first ceased to receive such a communication from the President as could properly be made the subject of a general answer. I do not mean to find fault with this relinquishment of a former and an ancient practice. It may have been attended with inconveniences which justified its abolition. But, certainly, there was one advantage belonging to it; and that is, that it furnished a fit opportunity for the expression of the opinion of the houses of Congress upon those topics in the executive communication which were not expected to be made the immediate subjects of direct legislation. Since, therefore, the President's message does not now receive a general answer, it has seemed to me to be proper that, in some mode, agreeable to our own usual form of proceeding, we should express our sentiments upon the important and interesting topics on which it treats.

If the sentiments of the message in respect to Greece be proper, it is equally proper that this House should reciprocate those sentiments. The present resolution is designed to have that extent, and no more. If it pass, it will leave any future proceeding where it now is, in the discretion of the executive government. It is but an expression, under those forms in which the House is accustomed to act, of the satisfaction of the House with the general sentiments expressed in regard to this subject in the message, and of its readiness to defray the expense incident to any inquiry for the purpose of further information, or any other agency which the President, in his discretion, shall see fit, in whatever manner and at whatever time, to institute. The whole matter is still left in his judgment, and this resolution can in no way restrain its unlimited exercise.

I might well, Mr. Chairman, avoid the responsibility of this measure, if it had, in my judgment, any tendency to change the policy of the country. With the general course of that policy I am quite satisfied. The nation is prosperous, peaceful, and happy; and I should very reluctantly put its peace, prosperity, or happiness at risk. It appears to me, however, that this resolution is strictly conformable to

our general policy, and not only consistent with our interests, but even demanded by a large and liberal view of those interests.

It is certainly true that the just policy of this country is, in the first place, a peaceful policy. No nation ever had less to expect from forcible aggrandizement. The mighty agents which are working out our greatness are time, industry, and the arts. Our augmentation is by growth, not by acquisition; by internal development, not by external accession. No schemes can be suggested to us so magnificent as the prospects which a sober contemplation of our own condition, unaided by projects, uninfluenced by ambition, fairly spreads before us. A country of such vast extent, with such varieties of soil and climate, with so much public spirit and private enterprise, with a population increasing so much beyond former example, with capacities of improvement not only unapplied or unexhausted, but even, in a great measure, as yet unexplored, — so free in its institutions, so mild in its laws, so secure in the title it confers on every man to his own acquisitions, — needs nothing but time and peace to carry it forward to almost any point of advancement.

In the next place, I take it for granted that the policy of this country, springing from the nature of our government and the spirit of all our institutions, is, so far as it respects the interesting questions which agitate the present age, on the side of liberal and enlightened sentiments. The age is extraordinary; the spirit that actuates it is peculiar and marked; and our own relation to the times we live in, and to the questions which interest them, is equally marked and peculiar. We are placed, by our good fortune and the wisdom and valor of our ancestors, in a condition in which we *can* act no obscure part. Be it for honor, or be it for dishonor, whatever we do is sure to attract the observation of the world. As one of the free states among the nations, as a great and rapidly rising republic, it would be impossible for us, if we were so disposed, to prevent our principles, our sentiments, and our example from producing some effect upon the opinions and hopes of society throughout the civilized world. It rests probably with ourselves to determine whether the influence of these shall be salutary or pernicious.

Sir, the Greeks have done much. It would be great injustice to compare their achievements with our own. We began our Revolution, already possessed of government, and, comparatively, of civil liberty. Our ancestors had from the first been accustomed in a great measure to govern themselves. They were familiar with popular elections and legislative assemblies, and well acquainted with the general principles and practice of free governments. They had little else to do than to throw off the paramount authority of the parent state. Enough was still left, both of law and of organization, to conduct society in its accustomed course, and to unite men together for a common object. The Greeks, of course, could act wtih little concert at the beginning; they were unaccustomed to the exercise of power, without experience, with limited knowledge, without aid, and surrounded by nations which, whatever claims the Greeks might seem to have upon them, have afforded them nothing but discouragement and reproach. They have held out, however, for three campaigns; and that, at least, is something. Constantinople and the northern provinces have sent forth thousands of troops; — they have been defeated. Tripoli, and Algiers, and Egypt, have contributed their marine contingents; — they have not kept the ocean. Hordes of Tartars have crossed the Bosphorus; — they have died where the Persians died. The powerful monarchies in the neighborhood have denounced their cause, and admonished them to abandon it and submit to their fate. They have answered them, that, although two hundred thousand of their countrymen have offered up their lives, there yet remain lives to offer; and that it is the determination of *all*, "yes, of ALL," to persevere until they shall have established their liberty, or until the power of their oppressors shall have relieved them from the burden of existence.

It may now be asked, perhaps, whether the expression of our own sympathy, and that of the country, may do them good? I hope it may. It may give them courage and spirit, it may assure them of public regard, teach them that they are not wholly forgotten by the civilized world, and inspire them with constancy in the pursuit of their great end.

At any rate, sir, it appears to me that the measure which I have proposed is due to our own character, and called for by our own duty. When we shall have discharged that duty, we may leave the rest to the disposition of Providence.

I do not see how it can be doubted that this measure is entirely *pacific*. I profess my inability to perceive that it has any possible tendency to involve our neutral relations. If the resolution pass, it is not of necessity to be immediately acted on. It will not be acted on at all, unless, in the opinion of the President, a proper and safe occasion for acting upon it shall arise. If we adopt the resolution to-day, our relations with every foreign state will be to-morrow precisely what they now are. The resolution will be sufficient to express our sentiments on the subjects to which I have adverted. Useful for that purpose, it can be mischievous for no purpose. If the topic were properly introduced into the message, it cannot be improperly introduced into discussion in this House. If it were proper, which no one doubts, for the President to express his opinions upon it, it cannot, I think, be improper for us to express ours. The only certain effect of this resolution is to signify, in a form usual in bodies constituted like this, our approbation of the general sentiment of the message. Do we wish to withhold that approbation? The resolution confers on the President no new power, nor does it enjoin on him the exercise of any new duty; nor does it hasten him in the discharge of any existing duty.

I cannot imagine that this resolution can add any thing to those excitements which it has been supposed, I think very causelessly, might possibly provoke the Turkish government to acts of hostility. There is already the message, expressing the hope of success to the Greeks and disaster to the Turks, in a much stronger manner than is to be implied from the terms of this resolution. There is the correspondence between the Secretary of State and the Greek Agent in London, already made public, in which similar wishes are expressed, and a continuance of the correspondence apparently invited. I might add to this, the unexampled burst of feeling which this cause has called forth from all classes of society, and the notorious fact of pecu-

niary contributions made throughout the country for its aid and advancement. After all this, whoever can see cause of danger to our pacific relations from the adoption of this resolution has a keener vision than I can pretend to. Sir, there is no augmented danger; there is no danger. The question comes at last to this, whether, on a subject of this sort, this House holds an opinion which is worthy to be expressed.

Even suppose, Sir, an agent or commissioner were to be immediately sent, — a measure which I myself believe to be the proper one, — there is no breach of neutrality, nor any just cause of offence. Such an agent, of course, would not be accredited; he would not be a public minister. The object would be inquiry and information; inquiry which we have a right to make, information which we are interested to possess. If a dismemberment of the Turkish empire be taking place, or has already taken place; if a new state be rising, or be already risen, in the Mediterranean, — who can doubt, that, without any breach of neutrality, we may inform ourselves of these events for the government of our own concerns? The Greeks have declared the Turkish coasts in a state of blockade; may we not inform ourselves whether this blockade be *nominal* or *real?* and, of course, whether it shall be regarded or disregarded? The greater our trade may happen to be with Smyrna, a consideration which seems to have alarmed some gentlemen, the greater is the reason, in my opinion, why we should seek to be accurately informed of those events which may affect its safety. It seems to me impossible, therefore, for any reasonable man to imagine that this resolution can expose us to the resentment of the Sublime Porte.

As little reason is there for fearing its consequences upon the conduct of the Allied Powers. They may, very naturally, dislike our sentiments upon the subject of the Greek revolution; but what those sentiments are they will much more explicitly learn in the President's message than in this resolution. They might, indeed, prefer that we should express no dissent from the doctrines which they have avowed, and the application which they have made of those doctrines to the case of Greece. But I trust we are not disposed

to leave them in any doubt as to our sentiments upon these important subjects. They have expressed their opinions, and do not call that expression of opinion an interference; in which respect they are right, as the expression of opinion in such cases is not such an interference as would justify the Greeks in considering the powers at war with them. For the same reason, any expression which we may make of different principles and different sympathies is no interference. No one would call the President's message an interference; and yet it is much stronger in that respect than this resolution. If either of them could be construed to be an interference, no doubt it would be improper, at least it would be so according to my view of the subject; for the very thing which I have attempted to resist in the course of these observations is the right of foreign interference. But neither the message nor the resolution has that character. There is not a power in Europe which can suppose, that, in expressing our opinions on this occasion, we are governed by any desire of aggrandizing ourselves or of injuring others. We do no more than to maintain those established principles in which we have an interest in common with other nations, and to resist the introduction of new principles and new rules, calculated to destroy the relative independence of states, and particularly hostile to the whole fabric of our government.

I close, then, Sir, with repeating, that the object of this resolution is to avail ourselves of the interesting occasion of the Greek revolution to make our protest against the doctrines of the Allied Powers, both as they are laid down in principle and as they are applied in practice. I think it right, too, Sir, not to be unseasonable in the expression of our regard, and, as far as that goes, in a manifestation of our sympathy with a long oppressed and now struggling people. I am not of those who would, in the hour of utmost peril, withhold such encouragement as might be properly and lawfully given, and, when the crisis should be past, overwhelm the rescued sufferer with kindness and caresses. The Greeks address the civilized world with a pathos not easy to be resisted. They invoke our favor by more

moving considerations than can well belong to the condition of any other people. They stretch out their arms to the Christian communities of the earth, beseeching them, by a generous recollection of their ancestors, by the consideration of their desolated and ruined cities and villages, by their wives and children sold into an accursed slavery, by their blood, which they seem willing to pour out like water, by the common faith, and in the name, which unites all Christians, that they would extend to them at least some token of compassionate regard.

THE BUNKER HILL MONUMENT.

Address delivered at the Laying of the Corner Stone of the Bunker Hill Monument at Charlestown, Massachusetts, on the 17th of June, 1825.

THIS uncounted multitude before me and around me proves the feeling which the occasion has excited. These thousands of human faces, glowing with sympathy and joy, and from the impulses of a common gratitude turned reverently to heaven in this spacious temple of the firmament, proclaim that the day, the place, and the purpose of our assembling have made a deep impression on our hearts.

If, indeed, there be any thing in local association fit to affect the mind of man, we need not strive to repress the emotions which agitate us here. We are among the sepulchres of our fathers. We are on ground distinguished by their valor, their constancy, and the shedding of their blood. We are here, not to fix an uncertain date in our annals, nor to draw into notice an obscure and unknown spot. If our humble purpose had never been conceived, if we ourselves had never been born, the 17th of June, 1775, would have been a day on which all subsequent history would have poured its light, and the eminence where we stand a point of attraction to the eyes of successive generations. But we are Americans. We live in what may be called the early age of this great continent; and we know that our posterity, through all time, are here to enjoy and suffer the allotments of humanity. We see before us a probable train of great events; we know that our own fortunes have been happily

cast; and it is natural, therefore, that we should be moved by the contemplation of occurrences which have guided our destiny before any of us were born, and settled the condition in which we should pass that portion of our existence which God allows to men on earth.

We do not read even of the discovery of this continent, without feeling something of a personal interest in the event; without being reminded how much it has affected our own fortunes and our own existence. It would be still more unnatural for us, therefore, than for others, to contemplate with unaffected minds that interesting, I may say that most touching and pathetic scene, when the great discoverer of America stood on the deck of his shattered bark, the shades of night falling on the sea, yet no man sleeping; tossed on the billows of an unknown ocean, yet the stronger billows of alternate hope and despair tossing his own troubled thoughts; extending forward his harassed frame, straining westward his anxious and eager eyes, till Heaven at last granted him a moment of rapture and ecstasy, in blessing his vision with the sight of the unknown world.

Nearer to our times, more closely connected with our fates, and therefore still more interesting to our feelings and affections, is the settlement of our own country by colonists from England. We cherish every memorial of these worthy ancestors; we celebrate their patience and fortitude; we admire their daring enterprise; we teach our children to venerate their piety; and we are justly proud of being descended from men who have set the world an example of founding civil institutions on the great and united principles of human freedom and human knowledge. To us, their children, the story of their labors and sufferings can never be without its interest. We shall not stand unmoved on the shore of Plymouth, while the sea continues to wash it; nor will our brethren in another early and ancient Colony forget the place of its first establishment, till their river shall cease to flow by it. No vigor of youth, no maturity of manhood, will lead the nation to forget the spots where its infancy was cradled and defended.

But the great event in the history of the continent, which

we are now met here to commemorate, that prodigy of modern times, at once the wonder and the blessing of the world, is the American Revolution. In a day of extraordinary prosperity and happiness, of high national honor, distinction, and power, we are brought together, in this place, by our love of country, by our admiration of exalted character, by our gratiude for signal services and patriotic devotion. The Society whose organ I am was formed for the purpose of rearing some honorable and durable monument to the memory of the early friends of American Independence. They have thought, that for this object no time could be more propitious than the present prosperous and peaceful period; that no place could claim preference over this memorable spot; and that no day could be more auspicious to the undertaking, than the anniversary of the battle which was here fought. The foundation of that monument we have now laid. With solemnities suited to the occasion, with prayers to Almighty God for his blessing, and in the midst of this cloud of witnesses, we have begun the work. We trust it will be prosecuted, and that, springing from a broad foundation, rising high in massive solidity and unadorned grandeur, it may remain as long as Heaven permits the works of man to last, a fit emblem, both of the events in memory of which it is raised, and of the gratitude of those who have reared it.

We know, indeed, that the record of illustrious actions is most safely deposited in the universal remembrance of mankind. We know, that if we could cause this structure to ascend, not only till it reached the skies, but till it pierced them, its broad surfaces could still contain but part of that which, in an age of knowledge, hath already been spread over the earth, and which history charges itself with making known to all future times. We know that no inscription on entablatures less broad than the earth itself can carry information of the events we commemorate where it has not already gone; and that no structure, which shall not outlive the duration of letters and knowledge among men, can prolong the memorial. But our object is, by this edifice, to show our own deep sense of the value and importance of the achievements of our ancestors; and, by presenting

this work of gratitude to the eye, to keep alive similar sentiments, and to foster a constant regard for the principles of the Revolution. Human beings are composed, not of reason only, but of imagination also, and sentiment; and that is neither wasted nor misapplied which is appropriated to the purpose of giving right direction to sentiments, and opening proper springs of feeling in the heart. Let it not be supposed that our object is to perpetuate national hostility, or even to cherish a mere military spirit. It is higher, purer, nobler. We consecrate our work to the spirit of national independence, and we wish that the light of peace may rest upon it for ever. We rear a memorial of our conviction of that unmeasured benefit which has been conferred on our own land, and of the happy influences which have been produced, by the same events, on the general interests of mankind. We come, as Americans, to mark a spot which must for ever be dear to us and our posterity. We wish that whosoever, in all coming time, shall turn his eye hither, may behold that the place is not undistinguished where the first great battle of the Revolution was fought. We wish that this structure may proclaim the magnitude and importance of that event to every class and every age. We wish that infancy may learn the purpose of its erection from maternal lips, and that weary and withered age may behold it, and be solaced by the recollections which it suggests. We wish that labor may look up here, and be proud, in the midst of its toil. We wish that, in those days of disaster, which, as they come upon all nations, must be expected to come upon us also, desponding patriotism may turn its eyes hitherward, and be assured that the foundations of our national power are still strong. We wish that this column, rising towards heaven among the pointed spires of so many temples dedicated to God, may contribute also to produce, in all minds, a pious feeling of dependence and gratitude. We wish, finally, that the last object to the sight of him who leaves his native shore, and the first to gladden his who revisits it, may be something which shall remind him of the liberty and the glory of his country. Let it rise! let it rise, till it meet the sun in his coming; let the earliest

light of the morning gild it, and parting day linger and play on its summit.)

We live in a most extraordinary age. Events so various and so important that they might crowd and distinguish centuries, are, in our times, compressed within the compass of a single life. When has it happened that history has had so much to record, in the same term of years, as since the 17th of June, 1775? Our own Revolution, which, under other circumstances, might itself have been expected to occasion a war of half a century, has been achieved; twenty-four sovereign and independent States erected; and a general government established over them, so safe, so wise, so free, so practical, that we might well wonder its establishment should have been accomplished so soon, were it not far the greater wonder that it should have been established at all. (Two or three millions of people have been augmented to twelve, the great forests of the West prostrated beneath the arm of successful industry, and the dwellers on the banks of the Ohio and the Mississippi become the fellow-citizens and neighbors of those who cultivate the hills of New England.* We have a commerce that leaves no sea unexplored; navies, which take no law from superior force; revenues, adequate to all the exigencies of government, almost without taxation; and peace with all nations, founded on equal rights and mutual respect.

Europe, within the same period, has been agitated by a mighty revolution, which, while it has been felt in the individual condition and happiness of almost every man, has shaken to the centre her political fabric, and dashed against one another thrones which had stood tranquil for ages. On this, our continent, our own example has been followed, and colonies have sprung up to be nations. Unaccustomed sounds of liberty and free government have reached us from beyond the track of the sun; and at this moment the dominion of European power in this continent, from the place where we stand to the south pole, is annihilated for ever.)

* That which was spoken of figuratively in 1825 has, in the lapse of a quarter of a century, by the introduction of railroads and telegraphic lines, become a reality. It is an interesting circumstance, that the first railroad on the Western Continent was constructed for the purpose of accelerating the erection of this monument.

In the mean time, both in Europe and America, such has been the general progress of knowledge, such the improvement in legislation, in commerce, in the arts, in letters, and, above all, in liberal ideas and the general spirit of the age, that the whole world seems changed.

Yet notwithstanding that this is but a faint abstract of the things which have happened since the day of the battle of Bunker Hill, we are but fifty years removed from it; and we now stand here to enjoy all the blessings of our own condition, and to look abroad on the brightened prospects of the world, while we still have among us some of those who were active agents in the scenes of 1775, and who are now here, from every quarter of New England, to visit once more, and under circumstances so affecting, I had almost said so overwhelming, this renowned theatre of their courage and patriotism.

VENERABLE MEN! you have come down to us from a former generation. Heaven has bounteously lengthened out your lives, that you might behold this joyous day. You are now where you stood fifty years ago, this very hour, with your brothers and your neighbors, shoulder to shoulder, in the strife for your country. Behold, how altered! The same heavens are indeed over your heads; the same ocean rolls at your feet; but all else how changed! You hear now no roar of hostile cannon, you see no mixed volumes of smoke and flame rising from burning Charlestown. The ground strewed with the dead and the dying; the impetuous charge; the steady and successful repulse; the loud call to repeated assault; the summoning of all that is manly to repeated resistance; a thousand bosoms freely and fearlessly bared in an instant to whatever of terror there may be in war and death;—all these you have witnessed, but you witness them no more. All is peace. The heights of yonder metropolis, its towers and roofs, which you then saw filled with wives and children and countrymen in distress and terror, and looking with unutterable emotions for the issue of the combat, have presented you to-day with the sight of its whole happy population, come out to welcome and greet you with a universal jubilee. Yonder proud ships,

by a felicity of position appropriately lying at the foot of this mount, and seeming fondly to cling around it, are not means of annoyance to you, but your country's own means of distinction and defence. All is peace; and God has granted you this sight of your country's happiness, ere you slumber in the grave. He has allowed you to behold and to partake the reward of your patriotic toils; and he has allowed us, your sons and countrymen, to meet you here, and in the name of the present generation, in the name of your country, in the name of liberty, to thank you!

But, alas! you are not all here! Time and the sword have thinned your ranks. Prescott, Putnam, Stark, Brooks, Read, Pomeroy, Bridge! our eyes seek for you in vain amid this broken band. You are gathered to your fathers, and live only to your country in her grateful remembrance and your own bright example. But let us not too much grieve, that you have met the common fate of men. You lived at least long enough to know that your work had been nobly and successfully accomplished. You lived to see your country's independence established, and to sheathe your swords from war. On the light of Liberty you saw arise the light of Peace, like

> "another morn,
> Risen on midnoon;"

and the sky on which you closed your eyes was cloudless.

But ah! Him! the first great martyr in this great cause! Him! the premature victim of his own self-devoting heart! Him! the head of our civil councils, and the destined leader of our military bands, whom nothing brought hither but the unquenchable fire of his own spirit! Him! cut off by Providence in the hour of overwhelming anxiety and thick gloom; falling ere he saw the star of his country rise; pouring out his generous blood like water, before he knew whether it would fertilize a land of freedom or of bondage! — how shall I struggle with the emotions that stifle the utterance of thy name! Our poor work may perish; but thine shall endure! This monument may moulder away; the solid ground it rests upon may sink down to a level with the sea;

but thy memory shall not fail! Wheresoever among men a heart shall be found that beats to the transports of patriotism and liberty, its aspirations shall be to claim kindred with thy spirit!

But the scene amidst which we stand does not permit us to confine our thoughts or our sympathies to those fearless spirits who hazarded or lost their lives on this consecrated spot. We have the happiness to rejoice here in the presence of a most worthy representation of the survivors of the whole Revolutionary army.

VETERANS! you are the remnant of many a well-fought field. You bring with you marks of honor from Trenton and Monmouth, from Yorktown, Camden, Bennington, and Saratoga. VETERANS OF HALF A CENTURY! when in your youthful days you put every thing at hazard in your country's cause, good as that cause was, and sanguine as youth is, still your fondest hopes did not stretch onward to an hour like this! At a period to which you could not reasonably have expected to arrive, at a moment of national prosperity such as you could never have foreseen, you are now met here to enjoy the fellowship of old soldiers, and to receive the overflowings of a universal gratitude.

But your agitated countenances and your heaving breasts inform me that even this is not an unmixed joy. I perceive that a tumult of contending feelings rushes upon you. The images of the dead, as well as the persons of the living, present themselves before you. The scene overwhelms you, and I turn from it. May the Father of all mercies smile upon your declining years, and bless them! And when you shall here have exchanged your embraces, when you shall once more have pressed the hands which have been so often extended to give succor in adversity, or grasped in the exultation of victory, then look abroad upon this lovely land which your young valor defended, and mark the happiness with which it is filled; yea, look abroad upon the whole earth, and see what a name you have contributed to give to your country, and what a praise you have added to freedom, and then rejoice in the sympathy and gratitude which beam

upon your last days from the improved condition of mankind!

The occasion does not require of me any particular account of the battle of the 17th of June, 1775, nor any detailed narrative of the events which immediately preceded it. These are familiarly known to all. In the progress of the great and interesting controversy, Massachusetts and the town of Boston had become early and marked objects of the displeasure of the British Parliament. This had been manifested in the act for altering the government of the Province, and in that for shutting up the port of Boston. Nothing sheds more honor on our early history, and nothing better shows how little the feelings and sentiments of the Colonies were known or regarded in England, than the impression which these measures every where produced in America. It had been anticipated, that while the Colonies in general would be terrified by the severity of the punishment inflicted on Massachusetts, the other seaports would be governed by a mere spirit of gain; and that, as Boston was now cut off from all commerce, the unexpected advantage which this blow on her was calculated to confer on other towns would be greedily enjoyed. How miserably such reasoners deceived themselves! How little they knew of the depth, and the strength, and the intenseness of that feeling of resistance to illegal acts of power, which possessed the whole American people! Every where the unworthy boon was rejected with scorn. The fortunate occasion was seized, every where, to show to the whole world that the Colonies were swayed by no local interest, no partial interest, no selfish interest. The temptation to profit by the punishment of Boston was strongest to our neighbors of Salem. Yet Salem was precisely the place where this miserable proffer was spurned, in a tone of the most lofty self-respect and the most indignant patriotism. "We are deeply affected," said its inhabitants, "with the sense of our public calamities; but the miseries that are now rapidly hastening on our brethren in the capital of the Province greatly excite our commiseration. By shutting up the port of Boston, some imagine that the course of trade might be

turned hither, and to our benefit; but we must be dead to every idea of justice, lost to all feelings of humanity, could we indulge the thought to seize on wealth and raise our fortunes on the ruin of our suffering neighbors." These noble sentiments were not confined to our immediate vicinity. In that day of general affection and brotherhood, the blow given to Boston smote on every patriotic heart from one end of the country to the other.

The 17th of June saw the four New England Colonies standing here, side by side, to triumph or to fall together; and there was with them from that moment to the end of the war, what I hope will remain with them for ever, one cause, one country, one heart.

The battle of Bunker Hill was attended with the most important effects beyond its immediate results as a military engagement. It created at once a state of open, public war. There could now be no longer a question of proceeding against individuals, as guilty of treason or rebellion. That fearful crisis was past. The appeal lay to the sword, and the only question was, whether the spirit and the resources of the people would hold out till the object should be accomplished. Nor were its general consequences confined to our own country. The previous proceedings of the Colonies, their appeals, resolutions, and addresses, had made their cause known to Europe. Without boasting, we may say, that in no age or country has the public cause been maintained with more force of argument, more power of illustration, or more of that persuasion which excited feeling and elevated principle can alone bestow, than the Revolutionary state papers exhibit. These papers will for ever deserve to be studied, not only for the spirit which they breathe, but for the ability with which they were written.

To this able vindication of their cause, the Colonies had now added a practical and severe proof of their own true devotion to it, and given evidence also of the power which they could bring to its support. All now saw, that if America fell, she would not fall without a struggle. Men felt sympathy and regard, as well as surprise, when they beheld these infant states, remote, unknown, unaided, en-

counter the power of England, and in the first considerable battle, leave more of their enemies dead on the field, in proportion to the number of combatants, than had been recently known to fall in the wars of Europe.

Information of these events, circulating throughout the world, at length reached the ears of one who now hears me.* He has not forgotten the emotion which the fame of Bunker Hill, and the name of Warren excited in his youthful breast.

Sir, we are assembled to commemorate the establishment of great public principles of liberty, and to do honor to the distinguished dead. The occasion is too severe for eulogy of the living. But, Sir, your interesting relation to this country, the peculiar circumstances which surround you and surround us, call on me to express the happiness which we derive from your presence and aid in this solemn commemoration.

Fortunate, fortunate man! with what measure of devotion will you not thank God for the circumstances of your extraordinary life! You are connected with both hemisperes and with two generations. Heaven saw fit to ordain, that the electric spark of liberty should be conducted, through you, from the New World to the Old; and we, who are now here to perform this duty of patriotism, have all of us long ago received it in charge from our fathers to cherish your name and your virtues. You will account it an instance of your good fortune, Sir, that you crossed the seas to visit us at a time which enables you to be present at this solemnity. You now behold the field, the renown of which reached you in the heart of France, and caused a thrill in your ardent bosom. You see the lines of the little redoubt thrown up by the incredible diligence of Prescott; defended, to the last extremity, by his lion-hearted valor; and within which the corner stone of our monument has taken its position. You see where Warren fell, and where Parker, Gardner, McCleary, Moore, and other early patriots fell with him. Those who survived that day, and whose

* Among the earliest of the arrangements for the celebration of the 17th of June, 1825, was the invitation to General Lafayette to be present; and he had so timed his progress through the other States as to return to Massachusetts in season for the great occasion.

lives have been prolonged to the present hour, are now around you. Some of them you have known in the trying scenes of the war. Behold! they now stretch forth their feeble arms to embrace you. Behold! they raise their trembling voices to invoke the blessing of God on you and yours for ever.

Sir, you have assisted us in laying the foundation of this structure. You have heard us rehearse, with our feeble commendation, the names of departed patriots. Monuments and eulogy belong to the dead. We give them this day to Warren and his associates. On other occasions they have been given to your more immediate companions in arms, to Washington, to Greene, to Gates, to Sullivan, and to Lincoln. We have become reluctant to grant these, our highest and last honors, further. We would gladly hold them yet back from the little remnant of that immortal band. *Serus in cœlum redeas.* Illustrious as are your merits, yet far, O, very far distant be the day, when any inscription shall bear your name, or any tongue pronounce its eulogy!

The leading reflection to which this occasion seems to invite us, respects the great changes which have happened in the fifty years since the battle of Bunker Hill was fought. And it peculiarly marks the character of the present age, that, in looking at these changes, and estimating their effect on our condition, we are obliged to consider, not what has been done in our own country only, but in others also. In these interesting times, while nations are making separate and individual advances in improvement, they make, too, a common progress; like vessels on a common tide, propelled by the gales at different rates, according to their several structure and management, but all moved forward by one mighty current, strong enough to bear onward whatever does not sink beneath it.

A chief distinction of the present day is a community of opinions and knowledge amongst men in different nations, existing in a degree heretofore unknown. Knowledge has, in our time, triumphed, and is triumphing, over distance, over difference of languages, over diversity of habits, over prejudice, and over bigotry. The civilized and Christian

world is fast learning the great lesson, that difference of nation does not imply necessary hostility, and that all contact need not be war. The whole world is becoming a common field for intellect to act in. Energy of mind, genius, power, wheresoever it exists, may speak out in any tongue, and the *world* will hear it. A great chord of sentiment and feeling runs through two continents, and vibrates over both. Every breeze wafts intelligence from country to country; every wave rolls it; all give it forth, and all in turn receive it. There is a vast commerce of ideas; there are marts and exchanges for intellectual discoveries, and a wonderful fellowship of those individual intelligences which make up the mind and opinion of the age. Mind is the great lever of all things; human thought is the process by which human ends are ultimately answered; and the diffusion of knowledge, so astonishing in the last half century, has rendered innumerable minds, variously gifted by nature, competent to be competitors or fellow-workers on the theatre of intellectual operation.

From these causes important improvements have taken place in the personal condition of individuals. Generally speaking, mankind are not only better fed and better clothed, but they are able also to enjoy more leisure; they possess more refinement and more self-respect. A superior tone of education, manners, and habits prevails. This remark, most true in its application to our own country, is also partly true when applied elsewhere. It is proved by the vastly augmented consumption of those articles of manufacture and of commerce which contribute to the comforts and decencies of life; an augmentation which has far outrun the progress of population. And while the unexampled and almost incredible use of machinery would seem to supply the place of labor, labor still finds its occupation and its reward; so wisely has Providence adjusted men's wants and desires to their condition and their capacity.

Any adequate survey, however, of the progress made during the last half century in the polite and the mechanic arts, in machinery and manufactures, in commerce and agriculture, in letters and in science, would require volumes.

I must abstain wholly from these subjects, and turn for a moment to the contemplation of what has been done on the great question of politics and government. This is the master topic of the age; and during the whole fifty years it has intensely occupied the thoughts of men. The nature of civil government, its ends and uses, have been canvassed and investigated; ancient opinions attacked and defended; new ideas recommended and resisted, by whatever power the mind of man could bring to the controversy. From the closet and the public halls the debate has been transferred to the field; and the world has been shaken by wars of unexampled magnitude, and the greatest variety of fortune. A day of peace has at length succeeded; and now that the strife has subsided, and the smoke cleared away, we may begin to see what has actually been done, permanently changing the state and condition of human society. And, without dwelling on particular circumstances, it is most apparent, that, from the before-mentioned causes of augmented knowledge and improved individual condition, a real, substantial, and important change has taken place, and is taking place, highly favorable, on the whole, to human liberty and human happiness.

The great wheel of political revolution began to move in America. Here its rotation was guarded, regular, and safe. Transferred to the other continent, from unfortunate but natural causes, it received an irregular and violent impulse; it whirled along with a fearful celerity; till at length, like the chariot wheels in the races of antiquity, it took fire from the rapidity of its own motion, and blazed onward, spreading conflagration and terror around.

We learn from the result of this experiment, how fortunate was our own condition, and how admirably the character of our people was calculated for setting the great example of popular governments. The possession of power did not turn the heads of the American people, for they had long been in the habit of exercising a great degree of self-control. Although the paramount authority of the parent state existed over them, yet a large field of legislation had always been open to our Colonial assemblies. They were

accustomed to representative bodies and forms of free government; they understood the doctrine of the division of power among different branches, and the necessity of checks on each. The character of our countrymen, moreover, was sober, moral, and religious; and there was little in the change to shock their feelings of justice and humanity, or even to disturb an honest prejudice. We had no domestic throne to overturn, no privileged orders to cast down, no violent changes of property to encounter. In the American Revolution, no man sought or wished for more than to defend and enjoy his own. None hoped for plunder or for spoil. Rapacity was unknown to it; the axe was not among the instruments of its accomplishment; and we all know that it could not have lived a single day under any well-founded imputation of possessing a tendency adverse to the Christian religion.

And, now, let us indulge an honest exultation in the conviction of the benefit which the example of our country has produced, and is likely to produce, on human freedom and human happiness. Let us endeavor to comprehend in all its magnitude, and to feel in all its importance, the part assigned to us in the great drama of human affairs. We are placed at the head of the system of representative and popular governments. Thus far our example shows that such governments are compatible, not only with respectability and power, but with repose, with peace, with security of personal rights, with good laws, and a just administration.

We are not propagandists. Wherever other systems are preferred, either as being thought better in themselves, or as better suited to existing condition, we leave the preference to be enjoyed. Our history hitherto proves, however, that the popular form is practicable, and that with wisdom and knowledge men may govern themselves; and the duty incumbent on us is, to preserve the consistency of this cheering example, and take care that nothing may weaken its authority with the world. If, in our case, the representative system ultimately fail, popular governments must be pronounced impossible. No combination of circumstances more favorable to the experiment can ever be expected to

occur. The last hopes of mankind, therefore, rest with us; and if it should be proclaimed, that our example had become an argument against the experiment, the knell of popular liberty would be sounded throughout the earth.

These are excitements to duty; but they are not suggestions of doubt. Our history and our condition, all that is gone before us, and all that surrounds us, authorize the belief, that popular governments, though subject to occasional variation, in form perhaps not always for the better, may yet, in their general character, be as durable and permanent as other systems. We know, indeed, that in our country any other is impossible. The *principle* of free governments adheres to the American soil. It is bedded in it, immovable as its mountains.

And let the sacred obligations which have devolved on this generation, and on us, sink deep into our hearts. Those who established our liberty and our government are daily dropping from among us. The great trust now descends to new hands. Let us apply ourselves to that which is presented to us, as our appropriate object. We can win no laurels in a war for independence. Earlier and worthier hands have gathered them all. Nor are there places for us by the side of Solon, and Alfred, and other founders of states. Our fathers have filled them. But there remains to us a great duty of defence and preservation; and there is opened to us, also, a noble pursuit, to which the spirit of the times strongly invites us. Our proper business is improvement. Let our age be the age of improvement. In a day of peace, let us advance the arts of peace and the works of peace. Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests, and see whether we also, in our day and generation, may not perform something worthy to be remembered. Let us cultivate a true spirit of union and harmony. In pursuing the great objects which our condition points out to us, let us act under a settled conviction, and an habitual feeling, that these twenty-four States are one country. Let our conceptions be enlarged to the circle of our duties. Let us extend our ideas over the whole of the vast field in which we

are called to act. Let our object be, OUR COUNTRY, OUR WHOLE COUNTRY, AND NOTHING BUT OUR COUNTRY. And, by the blessing of God, may that country itself become a vast and splendid monument, not of oppression and terror, but of Wisdom, of Peace, and of Liberty, upon which the world may gaze with admiration for ever!

THE BATTLE OF BUNKER HILL.

Reflections upon the Battle of Bunker Hill, contributed to the North American Review, vol. vii.

No national drama was ever developed in a more interesting and splendid first scene. The incidents and the result of the battle itself were most important, and indeed most wonderful. As a mere battle, few surpass it in whatever engages and interests the attention. It was fought on a conspicuous eminence, in the immediate neighborhood of a populous city, and consequently in the view of thousands of spectators. The attacking army moved over a sheet of water to the assault. The operations and movements were of course all visible and all distinct. Those who looked on from the houses and heights of Boston had a fuller view of every important operation and event than can ordinarily be had of any battle, or than can possibly be had of such as are fought on a more extended ground, or by detachments of troops acting in different places, and at different times, and in some measure independently of each other. When the British columns were advancing to the attack, the flames of Charlestown (fired, as is generally supposed, by a shell) began to ascend. The spectators, far outnumbering both armies, thronged and crowded on every height and every point which afforded a view of the scene, themselves constituted a very important part of it.

The troops of the two armies seemed like so many combatants in an amphitheatre. The manner in which they should acquit themselves was to be judged of, not, as in other cases of military engagements, by reports and future history, but by a vast and anxious assembly already on the

spot, and waiting with unspeakable concern and emotion the progress of the day.

In other battles the *recollection* of wives and children has been used as an excitement to animate the warrior's breast and nerve his arm. Here was not a mere recollection, but an actual *presence* of them, and other dear connections, hanging on the skirts of the battle, anxious and agitated, feeling almost as if wounded themselves by every blow of the enemy, and putting forth, as it were, their own strength, and all the energy of their own throbbing bosoms, into every gallant effort of their warring friends.

But there was a more comprehensive and vastly more important view of that day's contest than has been mentioned — a view, indeed, which ordinary eyes, bent intently on what was immediately before them, did not embrace, but which was perceived in its full extent and expansion by minds of a higher order. Those men who were at the head of the colonial councils, who had been engaged for years in the previous stages of the quarrel with England, and who had been accustomed to look forward to the future, were well apprised of the magnitude of the events likely to hang on the business of that day. They saw in it not only a battle, but the beginning of a civil war of unmeasured extent and uncertain issue. All America and all England were likely to be deeply concerned in the consequences. The individuals themselves, who knew full well what agency they had in bringing affairs to this crisis, had need of all their courage — not that disregard of personal safety in which the vulgar suppose true courage to consist, but that high and fixed moral sentiment, that steady and decided purpose, which enables men to pursue a distant end, with a full view of the difficulties and dangers before them, and with a conviction that, before they must arrive at the proposed end, should they ever reach it, they must pass through evil report as well as good report, and be liable to obloquy as well as to defeat.

Spirits that fear nothing else, fear disgrace; and this danger is necessarily encountered by those who engage in civil war. Unsuccessful resistance is not only ruin to its

authors, but is esteemed, and necessarily so, by the laws of all countries, treasonable. This is the case, at least, till resistance becomes so general and formidable as to assume the form of regular war. But who can tell, when resistance commences, whether it will attain even to that degree of success? Some of those persons who signed the Declaration of Independence, in 1776, described themselves as signing it "as with halters about their necks." If there were grounds for this remark in 1776, when the cause had become so much more general, how much greater was the hazard when the battle of Bunker Hill was fought!

These considerations constituted, to enlarged and liberal minds, the moral sublimity of the occasion, while to the outward senses, the movement of armies, the roar of artillery, the brilliancy of the reflection of a summer's sun from the burnished armor of the British columns, and the flames of a burning town, made up a scene of extraordinary grandeur.

ADAMS AND JEFFERSON.

Discourse in Commemoration of the Lives and Services of John Adams and Thomas Jefferson, delivered in Faneuil Hall, on the 2d of August, 1826, at the Request of the Municipal Authorities of Boston.

THIS is an unaccustomed spectacle. For the first time, fellow-citizens, badges of mourning shroud the columns and overhang the arches of this hall. These walls, which were consecrated, so long ago, to the cause of American liberty, which witnessed her infant struggles, and rung with the shouts of her earliest victories, proclaim, now, that distinguished friends and champions of that great cause have fallen. It is right that it should be thus. The tears which flow, and the honors that are paid, when the founders of the republic die, give hope that the republic itself may be immortal. It is fit that, by public assembly and solemn observance, by anthem and by eulogy, we commemorate the services of national benefactors, extol their virtues, and render thanks to God for eminent blessings, early given

and long continued, through their agency, to our favored country.

ADAMS and JEFFERSON are no more; and we are assembled, fellow-citizens, the aged, the middle-aged, and the young, by the spontaneous impulse of all, under the authority of the municipal government, with the presence of the chief magistrate of the Commonwealth, and others its official representatives, the University, and the learned societies, to bear our part in those manifestations of respect and gratitude which pervade the whole land. ADAMS and JEFFERSON are no more. On our fiftieth anniversary, the great day of national jubilee, in the very hour of public rejoicing, in the midst of echoing and reëchoing voices of thanksgiving, while their own names were on all tongues, they took their flight together to the world of spirits.

If it be true that no one can safely be pronounced happy while he lives, if that event which terminates life can alone crown its honors and its glory, what felicity is here! The great epic of their lives, how happily concluded! Poetry itself has hardly terminated illustrious lives, and finished the career of earthly renown, by such a consummation. If we had the power, we could not wish to reverse this dispensation of the Divine Providence. The great objects of life were accomplished, the drama was ready to be closed. It has closed; our patriots have fallen; but so fallen, at such age, with such coincidence, on such a day, that we cannot rationally lament that that end has come, which we knew could not be long deferred.

Neither of these great men, fellow-citizens, could have died, at any time, without leaving an immense void in our American society. They have been so intimately, and for so long a time, blended with the history of the country, and especially so united, in our thoughts and recollections, with the events of the Revolution, that the death of either would have touched the chords of public sympathy. We should have felt that one great link, connecting us with former times, was broken; that we had lost something more, as it were, of the presence of the Revolution itself, and of the act of independence, and were driven on, by another great remove

from the days of our country's early distinction, to meet posterity, and to mix with the future. Like the mariner, whom the currents of the ocean and the winds carry along, till he sees the stars which have directed his course and lighted his pathless way descend, one by one, beneath the rising horizon, we should have felt that the stream of time had borne us onward till another great luminary, whose light had cheered us and whose guidance we had followed, had sunk away from our sight.

But the concurrence of their death on the anniversary of Independence has naturally awakened stronger emotions. Both had been Presidents, both had lived to great age, both were early patriots, and both were distinguished and ever honored by their immediate agency in the act of independence. It cannot but seem striking and extraordinary, that these two should live to see the fiftieth year from the date of that act; that they should complete that year; and that then, on the day which had fast linked for ever their own fame with their country's glory, the heavens should open to receive them both at once. As their lives themselves were the gifts of Providence, who is not willing to recognize in their happy termination, as well as in their long continuance, proofs that our country and its benefactors are objects of His care?

ADAMS and JEFFERSON, I have said, are no more. As human beings, indeed, they are no more. They are no more, as in 1776, bold and fearless advocates of independence; no more, as at subsequent periods, the head of the government; no more, as we have recently seen them, aged and venerable objects of admiration and regard. They are no more. They are dead. But how little is there of the great and good which can die! To their country they yet live, and live for ever. They live in all that perpetuates the remembrance of men on earth; in the recorded proofs of their own great actions, in the offspring of their intellect, in the deep-engraved lines of public gratitude, and in the respect and homage of mankind. They live in their example; and they live, emphatically, and will live, in the influence which their lives and efforts, their principles and opinions, now ex-

ercise, and will continue to exercise, on the affairs of men, not only in their own country, but throughout the civilized world. A superior and commanding human intellect, a truly great man, when Heaven vouchsafes so rare a gift, is not a temporary flame, burning brightly for a while, and then giving place to returning darkness. It is rather a spark of fervent heat, as well as radiant light, with power to enkindle the common mass of human mind; so that when it glimmers in its own decay, and finally goes out in death, no night follows, but it leaves the world all light, all on fire, from the potent contact of its own spirit. Bacon died; but the human understanding, roused by the touch of his miraculous wand to a perception of the true philosophy and the just mode of inquiring after truth, has kept on its course successfully and gloriously. Newton died; yet the courses of the spheres are still known, and they yet move on by the laws which he discovered, and in the orbits which he saw, and described for them, in the infinity of space.

No two men now live, fellow-citizens, perhaps it may be doubted whether any two men have ever lived in one age, who, more than those we now commemorate, have impressed on mankind their own sentiments in regard to politics and government, infused their own opinions more deeply into the opinions of others, or given a more lasting direction to the current of human thought. Their work doth not perish with them. The tree which they assisted to plant will flourish, although they water it and protect it no longer; for it has struck its roots deep, it has sent them to the very centre; no storm, not of force to burst the orb, can overturn it; its branches spread wide; they stretch their protecting arms broader and broader, and its top is destined to reach the heavens. We are not deceived. There is no delusion here. No age will come in which the American Revolution will appear less than it is, one of the greatest events in human history. No age will come in which it shall cease to be seen and felt, on either continent, that a mighty step, a great advance, not only in American affairs, but in human affairs, was made on the 4th of July, 1776. And no age will come, we trust, so ignorant or so unjust as not to

see and acknowledge the efficient agency of those we now honor in producing that momentous event.

We are not assembled, therefore, fellow-citizens, as men overwhelmed with calamity by the sudden disruption of the ties of friendship or affection, or as in despair for the republic by the untimely blighting of its hopes. Death has not surprised us by an unseasonable blow. We have, indeed, seen the tomb close, but it has closed only over mature years, over long-protracted public service, over the weakness of age, and over life itself only when the ends of living had been fulfilled. These suns, as they rose slowly and steadily, amidst clouds and storms, in their ascendant, so they have not rushed from their meridian to sink suddenly in the west. Like the mildness, the serenity, the continuing benignity of a summer's day, they have gone down with slow-descending, grateful, long-lingering light; and now that they are beyond the visible margin of the world, good omens cheer us from "the bright track of their fiery car"!

There were many points of similarity in the lives and fortunes of these great men. They belonged to the same profession, and had pursued its studies and its practice, for unequal lengths of time indeed, but with diligence and effect. Both were learned and able lawyers. They were natives and inhabitants, respectively, of those two of the Colonies which at the Revolution were the largest and most powerful, and which naturally had a lead in the political affairs of the times. When the Colonies became in some degree united, by the assembling of a general Congress, they were brought to act together in its deliberations, not indeed at the same time, but both at early periods. Each had already manifested his attachment to the cause of the country, as well as his ability to maintain it, by printed addresses, public speeches, extensive correspondence, and whatever other mode could be adopted for the purpose of exposing the encroachments of the British Parliament, and animating the people to a manly resistance. Both were not only decided, but early, friends of Independence. While others yet doubted, they were resolved; where others

hesitated, they pressed forward. They were both members of the committee for preparing the Declaration of Independence, and they constituted the sub-committee appointed by the other members to make the draft. They left their seats in Congress, being called to other public employments, at periods not remote from each other, although one of them returned to it afterwards for a short time. Neither of them was of the assembly of great men which formed the present Constitution, and neither was at any time a member of Congress under its provisions. Both have been public ministers abroad, both Vice-Presidents and both Presidents of the United States. These coincidences are now singularly crowned and completed. They have died together; and they died on the anniversary of liberty.

When many of us were last in this place, fellow-citizens, it was on the day of that anniversary. We were met to enjoy the festivities belonging to the occasion, and to manifest our grateful homage to our political fathers. We did not, we could not here, forget our venerable neighbor of Quincy. We knew that we were standing, at a time of high and palmy prosperity, where he had stood in the hour of utmost peril; that we saw nothing but liberty and security, where he had met the frown of power; that we were enjoying every thing, where he had hazarded every thing; and just and sincere plaudits rose to his name, from the crowds which filled this area, and hung over these galleries. He whose grateful duty it was to speak to us,* on that day, of the virtues of our fathers, had, indeed, admonished us that time and years were about to level his venerable frame with the dust. But he bade us hope that "the sound of a nation's joy, rushing from our cities, ringing from our valleys, echoing from our hills, might yet break the silence of his aged ear; that the rising blessings of grateful millions might yet visit with glad light his decaying vision." Alas! that vision was then closing for ever. Alas! the silence which was then settling on that aged ear was an everlasting silence! For, lo! in the very moment of our festivities, his

* Hon. Josiah Quincy.

freed spirit ascended to God who gave it! Human aid and human solace terminate at the grave; or we would gladly have borne him upward, on a nation's outspread hands; we would have accompanied him, and with the blessings of millions and the prayers of millions, commended him to the Divine favor.

While still indulging our thoughts, on the coincidence of the death of this venerable man with the anniversary of Independence, we learn that Jefferson, too, has fallen; and that these aged patriots, these illustrious fellow-laborers, have left our world together. May not such events raise the suggestion that they are not undesigned, and that Heaven does so order things, as sometimes to attract strongly the attention and excite the thoughts of men? The occurrence has added new interest to our anniversary, and will be remembered in all time to come.

JOHN ADAMS was born at Quincy, then part of the ancient town of Braintree, on the 19th day of October, (old style,) 1735. He was a descendant of the Puritans, his ancestors having early emigrated from England, and settled in Massachusetts. Discovering in childhood a strong love of reading and of knowledge, together with marks of great strength and activity of mind, proper care was taken by his worthy father to provide for his education. He pursued his youthful studies in Braintree, under Mr. Marsh, a teacher whose fortune it was that Josiah Quincy, Jr., as well as the subject of these remarks, should receive from him his instruction in the rudiments of classical literature. Having been admittted, in 1751, a member of Harvard College, Mr. Adams was graduated, in course, in 1755.

Choosing the law for his profession, he commenced and prosecuted its studies at Worcester, under the direction of Samuel Putnam, a gentleman whom he has himself described as an acute man, an able and learned lawyer, and as being in large professional practice at that time. In 1758 he was admitted to the bar, and entered upon the practice of the law in Braintree. He is understood to have made his first considerable effort, or to have attained his first signal success, at Plymouth, on one of those occasions which furnish

the earliest opportunity for distinction to many young men of the profession, a jury trial, and a criminal cause.

In 1766 he removed his residence to Boston, still continuing his attendance on the neighboring circuits, and not unfrequently called to remote parts of the Province. In 1770 his professional firmness was brought to a test of some severity, on the application of the British officers and soldiers to undertake their defence, on the trial of the indictments found against them on account of the transactions of the memorable 5th of March. He seems to have thought, on this occasion, that a man can no more abandon the proper duties of his profession, than he can abandon other duties. The event proved, that, as he judged well for his own reputation, so, too, he judged well for the interest and permanent fame of his country. The result of that trial proved, that, notwithstanding the high degree of excitement then existing in consequence of the measures of the British government, a jury of Massachusetts would not deprive the most reckless enemies, even the officers of that standing army quartered among them, which they so perfectly abhorred, of any part of that protection which the law, in its mildest and most indulgent interpretation, affords to persons accused of crimes.

Without following Mr. Adams's professional course further, suffice it to say, that on the first establishment of the judicial tribunals under the authority of the State, in 1776, he received an offer of the high and responsible station of Chief Justice of the Supreme Court of Massachusetts. But he was destined for another and a different career. From early life the bent of his mind was toward politics; a propensity which the state of the times, if it did not create, doubtless very much strengthened. Public subjects must have occupied the thoughts and filled up the conversation in the circles in which he then moved; and the interesting questions at that time just arising could not but seize on a mind like his, ardent, sanguine, and patriotic. A letter, fortunately preserved, written by him at Worcester, so early as the 12th of October, 1755, is a proof of very comprehensive views, and uncommon depth of reflection, in a young

man not yet quite twenty. In this letter he predicted the transfer of power, and the establishment of a new seat of empire in America; he predicted, also, the increase of population in the Colonies; and anticipated their naval distinction, and foretold that all Europe combined could not subdue them. All this is said, not on a public occasion or for effect, but in the style of sober and friendly correspondence, as the result of his own thoughts. "I sometimes retire," said he, at the close of the letter, "and, laying things together, form some reflections pleasing to myself. The produce of one of these reveries you have read above." * This prognostication so early in his own life, so early in the history of the country, of independence, of vast increase of numbers, of naval force, of such augmented power as might defy all Europe, is remarkable. It is more remarkable that its author should live to see fulfilled to the letter what could have seemed to others, at the time, but the extravagance of youthful fancy. His earliest political feelings were thus strongly American, and from this ardent attachment to his native soil he never departed.

While still living at Quincy, and at the age of twenty-four, Mr. Adams was present, in this town, at the argument before the Supreme Court respecting *Writs of Assistance*, and heard the celebrated and patriotic speech of James Otis. Unquestionably that was a masterly performance. No flighty declamation about liberty, no superficial discussion of popular topics, it was a learned, penetrating, convincing, constitutional argument, expressed in a strain of high and resolute patriotism. He grasped the question then pending between England and her Colonies with the strength of a lion; and if he sometimes sported, it was only because the

* Extract of a letter written by John Adams to Nathan Webb, dated at Worcester, Massachusetts, October 12, 1755.

"Soon after the Reformation, a few people came over into this New World, for conscience' sake. Perhaps this apparent trivial incident may transfer the great seat of empire into America. It looks likely to me; for, if we can remove the turbulent Gallics, our people, according to the exactest computations, will, in another century, become more numerous than England itself. Should this be the case, since we have, I may say, all the naval stores of the nation in our hands, it will be easy to obtain a mastery of the seas; and then the united force of all Europe will not be able to subdue us. The only way to keep us from setting up for ourselves is to disunite us."

lion himself is sometimes playful. Its success appears to have been as great as its merits, and its impression was widely felt. Mr. Adams himself seems never to have lost the feeling it produced, and to have entertained constantly the fullest conviction of its important effects. "I do say," he observes, "in the most solemn manner, that Mr. Otis's Oration against Writs of Assistance breathed into this nation the breath of life."

The citizens of this town conferred on Mr. Adams his first political distinction, and clothed him with his first political trust, by electing him one of their representatives, in 1770. Before this time he had become extensively known throughout the Province, as well by the part he had acted in relation to public affairs, as by the exercise of his professional ability. He was among those who took the deepest interest in the controversy with England, and whether in or out of the legislature, his time and talents were alike devoted to the cause. In the years 1773 and 1774 he was chosen a Councillor by the members of the General Court, but rejected by Governor Hutchinson in the former of those years, and by Governor Gage in the latter.

The time was now at hand, however, when the affairs of the Colonies urgently demanded united counsels throughout the country. An open rupture with the parent state appeared inevitable, and it was but the dictate of prudence that those who were united by a common interest and a common danger should protect that interest and guard against that danger by united efforts. A general Congress of Delegates from all the Colonies having been proposed and agreed to, the House of Representatives, on the 17th of June, 1774, elected James Bowdoin, Thomas Cushing, Samuel Adams, John Adams, and Robert Treat Paine, delegates from Massachusetts. This appointment was made at Salem, where the General Court had been convened by Governor Gage, in the last hour of the existence of a House of Representatives under the Provincial Charter. While engaged in this important business, the Governor, having been informed of what was passing, sent his secretary with a message dissolving the General Court. The secretary, finding the door

locked, directed the messenger to go in and inform the Speaker that the secretary was at the door with a message from the Governor. The messenger returned, and informed the secretary that the orders of the House were that the doors should be kept fast; whereupon the secretary soon after read upon the stairs a proclamation dissolving the General Court. Thus terminated, for ever, the actual exercise of the political power of England in or over Massachusetts. The four last-named delegates accepted their appointments, and took their seats in Congress the first day of its meeting, the 5th of September, 1774, in Philadelphia.

The proceedings of the first Congress are well known, and have been universally admired. It is in vain that we would look for superior proofs of wisdom, talent, and patriotism. Lord Chatham said, that, for himself, he must declare that he had studied and admired the free states of antiquity, the master states of the world, but that for solidity of reasoning, force of sagacity, and wisdom of conclusion, no body of men could stand in preference to this Congress. It is hardly inferior praise to say, that no production of that great man himself can be pronounced superior to several of the papers published as the proceedings of this most able, most firm, most patriotic assembly. There is, indeed, nothing superior to them in the range of political disquisition. They not only embrace, illustrate, and enforce every thing which political philosophy, the love of liberty, and the spirit of free inquiry had antecedently produced, but they add new and striking views of their own, and apply the whole, with irresistible force, in support of the cause which had drawn them together.

As it was in the Continental Congress, fellow-citizens, that those whose deaths have given rise to this occasion were first brought together, and called upon to unite their industry and their ability in the service of the country, let us now turn to the other of these distinguished men, and take a brief notice of his life up to the period when he appeared within the walls of Congress.

Thomas Jefferson, descended from ancestors who had been settled in Virginia for some generations, was born near

the spot on which he died, in the county of Albemarle, on the 2d of April, (old style,) 1743. His youthful studies were pursued in the neighborhood of his father's residence until he was removed to the College of William and Mary, the highest honors of which he in due time received. Having left the college with reputation, he applied himself to the study of the law under the tuition of George Wythe, one of the highest judicial names of which that State can boast. At an early age he was elected a member of the legislature, in which he had no sooner appeared than he distinguished himself by knowledge, capacity, and promptitude.

Mr. Jefferson appears to have been imbued with an early love of letters and science, and to have cherished a strong disposition to pursue these objects. To the physical sciences, especially, and to ancient classic literature, he is understood to have had a warm attachment, and never entirely to have lost sight of them in the midst of the busiest occupations. But the times were times for action, rather than for contemplation. The country was to be defended, and to be saved, before it could be enjoyed. Philosophic leisure and literary pursuits, and even the objects of professional attention, were all necessarily postponed to the urgent calls of the public service. The exigency of the country made the same demand on Mr. Jefferson that it made on others who had the ability and the disposition to serve it, and he obeyed the call.

Entering with all his heart into the cause of liberty, his ability, patriotism, and power with the pen naturally drew upon him a large participation in the most important concerns. Wherever he was, there was found a soul devoted to the cause, power to defend and maintain it, and willingness to incur all its hazards. In 1774 he published a Summary View of the Rights of British America, a valuable production among those intended to show the dangers which threatened the liberties of the country, and to encourage the people in their defence. In June, 1775, he was elected a member of the Continental Congress, as successor to Peyton Randolph, who had resigned his place on account of ill health, and took his seat in that body on the 21st of the same month.

And now, fellow-citizens, without pursuing the biography of these illustrious men further, for the present, let us turn our attention to the most prominent act of their lives, their participation in the DECLARATION OF INDEPENDENCE.

Preparatory to the introduction of that important measure, a committee, at the head of which was Mr. Adams, had reported a resolution which Congress adopted on the 10th of May, recommending, in substance, to all the Colonies which had not already established governments suited to the exigencies of their affairs, *to adopt such government as would, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and America in general.*

This significant vote was soon followed by the direct proposition which Richard Henry Lee had the honor to submit to Congress, by resolution, on the 7th day of June. The published journal does not expressly state it, but there is no doubt, I suppose, that this resolution was in the same words, when originally submitted by Mr. Lee, as when finally passed. Having been discussed on Saturday, the 8th, and Monday, the 10th of June, this resolution was on the last-mentioned day postponed for further consideration to the first day of July; and at the same time it was voted, that a committee be appointed to prepare a Declaration to the effect of the resolution. This committee was elected by ballot, on the following day, and consisted of Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman, and Robert R. Livingston.

It is usual, when committees are elected by ballot, that their members should be arranged in order, according to the number of votes which each has received. Mr. Jefferson, therefore, had received the highest, and Mr. Adams the next highest number of votes. The difference is said to have been but of a single vote. Mr. Jefferson and Mr. Adams, standing thus at the head of the committee, were requested by the other members to act as a sub-committee to prepare the draft; and Mr. Jefferson drew up the paper. The original draft as brought by him from his study, and submitted to the other members of the committee, with in-

terlineations in the handwriting of Dr. Franklin, and others in that of Mr. Adams, was in Mr. Jefferson's possession at the time of his death. The merit of this paper is Mr. Jefferson's. Some changes were made in it at the suggestion of other members of the committee, and others by Congress while it was under discussion. But none of them altered the tone, the frame, the arrangement, or the general character of the instrument. As a composition, the Declaration is Mr. Jefferson's. It is the production of his mind, and the high honor of it belongs to him, clearly and absolutely.

It has sometimes been said, as if it were a derogation from the merits of this paper, that it contains nothing new; that it only states grounds of proceeding, and presses topics of argument, which had often been stated and pressed before. But it was not the object of the Declaration to produce any thing new. It was not to invent reasons for Independence, but to state those which governed the Congress. For great and sufficient causes, it was proposed to declare independence; and the proper business of the paper to be drawn was to set forth those causes, and justify the authors of the measure, in any event of fortune, to the country and to posterity. The cause of American independence, moreover, was now to be presented to the world in such manner, if it might so be, as to engage its sympathy, to command its respect, to attract its admiration; and in an assembly of most able and distinguished men, Thomas Jefferson had the high honor of being the selected advocate of this cause. To say that he performed his great work well, would be doing him injustice. To say that he did excellently well, admirably well, would be inadequate and halting praise. Let us rather say, that he so discharged the duty assigned him, that all Americans may well rejoice that the work of drawing the title deed of their liberties devolved upon him.

With all its merits, there are those who have thought that there was one thing in the Declaration to be regretted; and that is, the asperity and apparent anger with which it speaks of the person of the king; the industrious ability with which it accumulates and charges upon him all the injuries which

the Colonies had suffered from the mother country. Possibly some degree of injustice, now or hereafter, at home or abroad, may be done to the character of Mr. Jefferson, if this part of the declaration be not placed in its proper light. Anger or resentment, certainly much less personal reproach and invective, could not properly find place in a composition of such high dignity, and of such lofty and permanent character.

A single reflection on the original ground of dispute between England and the Colonies is sufficient to remove any unfavorable impression in this respect.

The inhabitants of all the Colonies, while Colonies, admitted themselves bound by their allegiance to the king; but they disclaimed altogether the authority of Parliament; holding themselves, in this respect, to resemble the condition of Scotland and Ireland before the respective unions of those kingdoms with England, when they acknowledged allegiance to the same king, but had each its separate legislature. The tie, therefore, which our revolution was to break did not subsist between us and the British Parliament, or between us and the British government in the aggregate, but directly between us and the king himself. The Colonies had never admitted themselves subject to Parliament. That was precisely the point of the original controversy. They had uniformly denied that Parliament had authority to make laws for them. There was, therefore, no subjection to Parliament to be thrown off. But allegiance to the king did exist, and had been uniformly acknowledged; and down to 1775 the most solemn assurances had been given that it was not intended to break that allegiance, or to throw it off. Therefore, as the direct object and only effect of the Declaration, according to the principles on which the controversy had been maintained on our part, were to sever the tie of allegiance which bound us to the king, it was properly and necessarily founded on acts of the crown itself, as its justifying causes. Parliament is not so much as mentioned in the whole instrument. When odious and oppressive acts are referred to, it is done by charging the king with confederating with others "in pretended acts of legislation;"

the object being constantly to hold the king himself directly responsible for those measures which were the grounds of separation. Even the precedent of the English Revolution was not overlooked, and in this case, as well as in that, occasion was found to say that the king had *abdicated* the government. Consistency with the principles upon which resistance began, and with all the previous state papers issued by Congress, required that the Declaration should be bottomed on the misgovernment of the king; and therefore it was properly framed with that aim and to that end. The king was known, indeed, to have acted, as in other cases, by his ministers, and with his Parliament; but as our ancestors had never admitted themselves subject either to ministers or to Parliament, there were no reasons to be given for now refusing obedience to their authority. This clear and obvious necessity of founding the Declaration on the misconduct of the king himself, gives to that instrument its personal application, and its character of direct and pointed accusation.

The Declaration having been reported to Congress by the committee, the resolution itself was taken up and debated on the first day of July, and again on the second, on which last day it was agreed to and adopted, in these words: —

"*Resolved*, That these united Colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved."

Having thus passed the main resolution, Congress proceeded to consider the reported draught of the Declaration. It was discussed on the second, and third, and FOURTH days of the month, in committee of the whole; and on the last of those days, being reported from that committee, it received the final approbation and sanction of Congress. It was ordered, at the same time, that copies be sent to the several States, and that it be proclaimed at the head of the army. The Declaration thus published did not bear the names of the members, for as yet it had not been signed by

them. It was authenticated, like other papers of the Con gress, by the signatures of the President and Secretary On the 19th of July, as appears by the secret journal, Congress "*Resolved*, That the Declaration, passed on the fourth, be fairly engrossed on parchment, with the title and style of 'THE UNANIMOUS DECLARATION OF THE THIRTEEN UNITED STATES OF AMERICA;' and that the same, when engrossed, be signed by every member of Congress." And on the SECOND DAY OF AUGUST following, "the Declaration, being engrossed and compared at the table, was signed by the members." So that it happens, fellow-citizens, that we pay these honors to their memory on the anniversary of that day (2d of August) on which these great men actually signed their names to the Declaration. The Declaration was thus made, that is, it passed and was adopted as an act of Congress, on the fourth of July; it was then signed and certified by the President and Secretary, like other acts. The FOURTH OF JULY, therefore, is the ANNIVERSARY OF THE DECLARATION. But the signatures of the members present were made to it, being then engrossed on parchment, on the second day of August. Absent members afterwards signed, as they came in; and indeed it bears the names of some who were not chosen members of Congress until after the fourth of July. The interest belonging to the subject will be sufficient, I hope, to justify these details.

The Congress of the Revolution, fellow-citizens, sat with closed doors, and no report of its debates was ever made. The discussion, therefore, which accompanied this great measure, has never been preserved, except in memory and by tradition. But it is, I believe, doing no injustice to others to say, that the general opinion was, and uniformly has been, that in debate, on the side of independence, JOHN ADAMS had no equal. The great author of the Declaration himself has expressed that opinion uniformly and strongly. "JOHN ADAMS," said he, in the hearing of him who has now the honor to address you, "JOHN ADAMS was our colossus on the floor. Not graceful, not elegant, not always fluent, in his public addresses, he yet came out with a power

both of thought and expression, which moved us from our seats."

For the part which he was here to perform, Mr. Adams doubtless was eminently fitted. He possessed a bold spirit, which disregarded danger, and a sanguine reliance on the goodness of the cause, and the virtues of the people, which led him to overlook all obstacles. His character, too, had been formed in troubled times. He had been rocked in the early storms of the controversy, and had acquired a decision and a hardihood proportioned to the severity of the discipline which he had undergone.

He not only loved the American cause devoutly, but had studied and understood it. It was all familiar to him. He had tried his powers on the questions which it involved, often and in various ways; and had brought to their consideration whatever of argument or illustration the history of his own country, the history of England, or the stores of ancient or of legal learning could furnish. Every grievance enumerated in the long catalogue of the Declaration had been the subject of his discussion, and the object of his remonstrance and reprobation. From 1760, the Colonies, the rights of the Colonies, the liberties of the Colonies, and the wrongs inflicted on the Colonies, had engaged his constant attention; and it has surprised those who have had the opportunity of witnessing it, with what full remembrance and with what prompt recollection he could refer, in his extreme old age, to every act of Parliament affecting the Colonies, distinguishing and stating their respective titles, sections, and provisions; and to all the Colonial memorials, remonstrances, and petitions, with whatever else belonged to the intimate and exact history of the times from that year to 1775. It was, in his own judgment, between these years that the American people came to a full understanding and thorough knowledge of their rights, and to a fixed resolution of maintaining them; and bearing himself an active part in all important transactions, the controversy with England being then in effect the business of his life, facts, dates, and particulars made an impression which was never effaced. He was prepared, therefore, by education and discipline, as

well as by natural talent and natural temperament, for the part which he was now to act.

The eloquence of Mr. Adams resembled his general character, and formed, indeed, a part of it. It was bold, manly, and energetic; and such the crisis required. When public bodies are to be addressed on momentous occasions, when great interests are at stake, and strong passions excited, nothing is valuable in speech further than as it is connected with high intellectual and moral endowments. Clearness, force, and earnestness are the qualities which produce conviction. True eloquence, indeed, does not consist in speech. It cannot be brought from far. Labor and learning may toil for it, but they will toil in vain. Words and phrases may be marshalled in every way, but they cannot compass it. It must exist in the man, in the subject, and in the occasion. Affected passion, intense expression, the pomp of declamation, all may aspire to it; they cannot reach it. It comes, if it come at all, like the outbreaking of a fountain from the earth, or the bursting forth of volcanic fires, with spontaneous, original, native force. The graces taught in the schools, the costly ornaments and studied contrivances of speech, shock and disgust men, when their own lives, and the fate of their wives, their children, and their country, hang on the decision of the hour. Then words have lost their power, rhetoric is vain, and all elaborate oratory contemptible. Even genius itself then feels rebuked and subdued, as in the presence of higher qualities. Then patriotism is eloquent; then self-devotion is eloquent. The clear conception, outrunning the deductions of logic, the high purpose, the firm resolve, the dauntless spirit, speaking on the tongue, beaming from the eye, informing every feature, and urging the whole man onward, right onward to his object, — this, this is eloquence; or rather it is something greater and higher than all eloquence, it is action, noble, sublime, godlike action.

In July, 1776, the controversy had passed the stage of argument. An appeal had been made to force, and opposing armies were in the field. Congress, then, was to decide whether the tie which had so long bound us to the parent

state was to be severed at once, and severed for ever. All the Colonies had signified their resolution to abide by this decision, and the people looked for it with the most intense anxiety. And surely, fellow-citizens, never, never were men called to a more important political deliberation. If we contemplate it from the point where they then stood, no question could be more full of interest; if we look at it now, and judge of its importance by its effects, it appears of still greater magnitude.

Let us, then, bring before us the assembly, which was about to decide a question thus big with the fate of empire. Let us open their doors and look in upon their deliberations. Let us survey the anxious and careworn countenances, let us hear the firm-toned voices of this band of patriots.

HANCOCK presides over the solemn sitting; and one of those not yet prepared to pronounce for absolute independence is on the floor, and is urging his reasons for dissenting from the declaration.

"Let us pause! This step, once taken, cannot be retraced. This resolution, once passed, will cut off all hope of reconciliation. If success attend the arms of England, we shall then be no longer Colonies, with charters and with privileges; these will all be forfeited by this act; and we shall be in the condition of other conquered people, at the mercy of the conquerors. For ourselves, we may be ready to run the hazard; but are we ready to carry the country to that length? Is success so probable as to justify it? Where is the military, where the naval power, by which we are to resist the whole strength of the arm of England, for she will exert that strength to the utmost? Can we rely on the constancy and perseverance of the people? or will they not act as the people of other countries have acted, and, wearied with a long war, submit, in the end, to a worse oppression? While we stand on our old ground, and insist on redress of grievances, we know we are right, and are not answerable for consequences. Nothing, then, can be imputed to us. But if we now change our object, carry our pretensions farther, and set up for absolute independence,

we shall lose the sympathy of mankind. We shall no longer be defending what we possess, but struggling for something which we never did possess, and which we have solemnly and uniformly disclaimed all intention of pursuing, from the very outset of the troubles. Abandoning thus our old ground, of resistance only to arbitrary acts of oppression, the nations will believe the whole to have been mere pretence, and they will look on us, not as injured, but as ambitious subjects. I shudder before this responsibility. It will be on us, if, relinquishing the ground on which we have stood so long, and stood so safely, we now proclaim independence, and carry on the war for that object, while these cities burn, these pleasant fields whiten and bleach with the bones of their owners, and these streams run blood. It will be upon us, it will be upon us, if, failing to maintain this unseasonable and ill-judged declaration, a sterner despotism, maintained by military power, shall be established over our posterity, when we ourselves, given up by an exhausted, a harassed, a misled people, shall have expiated our rashness and atoned for our presumption on the scaffold."

It was for Mr. Adams to reply to arguments like these. We know his opinions, and we know his character. He would commence with his accustomed directness and earnestness.

"Sink or swim, live or die, survive or perish, I give my hand and my heart to this vote. It is true, indeed, that in the beginning we aimed not at independence. But there's a Divinity which shapes our ends. The injustice of England has driven us to arms; and, blinded to her own interest for our good, she has obstinately persisted, till independence is now within our grasp. We have but to reach forth to it, and it is ours. Why, then, should we defer the Declaration? Is any man so weak as now to hope for a reconciliation with England, which shall leave either safety to the country and its liberties, or safety to his own life and his own honor? Are not you, Sir, who sit in that chair, is not he, our venerable colleague near you, are you not both already the proscribed and predestined objects of punishment and of vengeance? Cut off from all hope of royal clemency, what are you, what

can you be, while the power of England remains, but outlaws? If we postpone independence, do we mean to carry on, or to give up the war? Do we mean to submit to the measures of Parliament, Boston Port Bill and all? Do we mean to submit, and consent that we ourselves shall be ground to powder, and our country and its rights trodden down in the dust? I know we do not mean to submit. We never shall submit. Do we intend to violate that most solemn obligation ever entered into by men, that plighting, before God, of our sacred honor to Washington, when, putting him forth to incur the dangers of war, as well as the political hazards of the times, we promised to adhere to him, in every extremity, with our fortunes and our lives? I know there is not a man here, who would not rather see a general conflagration sweep over the land, or an earthquake sink it, than one jot or tittle of that plighted faith fall to the ground. For myself, having, twelve months ago, in this place, moved you, that George Washington be appointed commander of the forces raised, or to be raised, for defence of American liberty, may my right hand forget her cunning, and my tongue cleave to the roof of my mouth, if I hesitate or waver in the support I give him.

"The war, then, must go on. We must fight it through. And if the war must go on, why put off longer the Declaration of Independence? That measure will strengthen us. It will give us character abroad. The nations will then treat with us, which they never can do while we acknowledge ourselves subjects, in arms against our sovereign. Nay, I maintain that England herself will sooner treat for peace with us on the footing of independence, than consent, by repealing her acts, to acknowledge that her whole conduct towards us has been a course of injustice and oppression. Her pride will be less wounded by submitting to that course of things which now predestinates our independence, than by yielding the points in controversy to her rebellious subjects. The former she would regard as the result of fortune; the latter she would feel as her own deep disgrace. Why, then, why, then, Sir, do we not as soon as possible change this from a civil to a national war? And

since we must fight it through, why not put ourselves in a state to enjoy all the benefits of victory, if we gain the victory?

"If we fail, it can be no worse for us. But we shall not fail. The cause will raise up armies; the cause will create navies. The people, the people, if we are true to them, will carry us, and will carry themselves, gloriously, through this struggle. I care not how fickle other people have been found. I know the people of these Colonies, and I know that resistance to British aggression is deep and settled in their hearts and cannot be eradicated. Every Colony, indeed, has expressed its willingness to follow, if we but take the lead. Sir, the Declaration will inspire the people with increased courage. Instead of a long and bloody war for the restoration of privileges, for redress of grievances, for chartered immunities, held under a British king, set before them the glorious object of entire independence, and it will breathe into them anew the breath of life. Read this Declaration at the head of the army; every sword will be drawn from its scabbard, and the solemn vow uttered, to maintain it, or to perish on the bed of honor. Publish it from the pulpit; religion will approve it, and the love of religious liberty will cling round it, resolved to stand with it, or fall with it. Send it to the public halls; proclaim it there; let them hear it who heard the first roar of the enemy's cannon; let them see it who saw their brothers and their sons fall on the field of Bunker Hill, and in the streets of Lexington and Concord, and the very walls will cry out in its support.

"Sir, I know the uncertainty of human affairs, but I see, I see clearly, through this day's business. You and I, indeed, may rue it. We may not live to the time when this Declaration shall be made good. We may die; die colonists; die slaves; die, it may be, ignominiously and on the scaffold. Be it so. Be it so. If it be the pleasure of Heaven that my country shall require the poor offering of my life, the victim shall be ready at the appointed hour of sacrifice, come when that hour may. But while I do live, let me have a country, or at least the hope of a country, and that a free country.

"But whatever may be our fate, be assured, be assured

that this Declaration will stand. It may cost treasure, and it may cost blood; but it will stand, and it will richly compensate for both. Through the thick gloom of the present, I see the brightness of the future, as the sun in heaven. We shall make this a glorious, an immortal day. When we are in our graves, our children will honor it. They will celebrate it with thanksgiving, with festivity, with bonfires, and illuminations. On its annual return they will shed tears, copious, gushing tears, not of subjection and slavery, not of agony and distress, but of exultation, of gratitude, and of joy. Sir, before God, I believe the hour is come. My judgment approves this measure, and my whole heart is in it. All that I have, and all that I am, and all that I hope, in this life, I am now ready here to stake upon it; and I leave off as I begun, that live or die, survive or perish, I am for the Declaration. It is my living sentiment, and by the blessing of God it shall be my dying sentiment, Independence *now*, and INDEPENDENCE FOR EVER."

And so that day shall be honored, illustrious prophet and patriot! so that day shall be honored, and as often as it returns, thy renown shall come along with it, and the glory of thy life, like the day of thy death, shall not fail from the remembrance of men.

It would be unjust, fellow-citizens, on this occasion, while we express our veneration for him who is the immediate subject of these remarks, were we to omit a most respectful, affectionate, and grateful mention of those other great men, his colleagues, who stood with him, and with the same spirit, the same devotion, took part in the interesting transaction. HANCOCK, the proscribed HANCOCK, exiled from his home by a military governor, cut off by proclamation from the mercy of the crown, — Heaven reserved for him the distinguished honor of putting this great question to the vote, and of writing his own name first, and most conspicuously, on that parchment which spoke defiance to the power of the crown of England. There, too, is the name of that other proscribed patriot, SAMUEL ADAMS, a man who hungered and thirsted for the independence of his country; who thought the Declaration halted and lingered, being himself not only

ready, but eager, for it, long before it was proposed; a man of the deepest sagacity, the clearest foresight, and the profoundest judgment in men. And there is GERRY, himself among the earliest and the foremost of the patriots, found, when the battle of Lexington summoned them to common counsels, by the side of WARREN; a man who lived to serve his country at home and abroad, and to die in the second place in the government. There, too, is the inflexible, the upright, the Spartan character, ROBERT TREAT PAINE. He also lived to serve his country through the struggle, and then withdrew from her councils only that he might give his labors and his life to his native State in another relation. These names, fellow-citizens, are the treasures of the Commonwealth; and they are treasures which grow brighter by time.

Mr. Adams remained in Congress from its first meeting till November, 1777, when he was appointed Minister to France. He proceeded on that service in the February following, embarking in the frigate Boston, from the shore of his native town, at the foot of Mount Wollaston. The year following, he was appointed commissioner to treat of peace with England. Returning to the United States, he was a delegate from Braintree in the Convention for framing the Constitution of this Commonwealth, in 1780. At the latter end of the same year, he again went abroad in the diplomatic service of the country, and was employed at various courts, and occupied with various negotiations, until 1788. The particulars of these interesting and important services this occasion does not allow time to relate. In 1782 he concluded our first treaty with Holland. His negotiations with that republic, his efforts to persuade the States General to recognize our independence, his incessant and indefatigable exertions to represent the American cause favorably on the Continent, and to counteract the designs of its enemies, open and secret, and his successful undertaking to obtain loans, on the credit of a nation yet new and unknown, are among his most arduous, most useful, most honorable services. It was his fortune to bear a part in the negotiation for peace with England, and in something more than

six years from the Declaration which he had so strenuously supported, he had the satisfaction of seeing the minister plenipotentiary of the crown subscribe his name to the instrument which declared that his "Britannic Majesty acknowledged the United States to be free, sovereign, and independent." In these important transactions, Mr. Adams's conduct received the marked approbation of Congress and of the country.

Returning to the United States in 1788, he found the new government about going into operation, and was himself elected the first Vice President, a situation which he filled with reputation for eight years, at the expiration of which he was raised to the Presidential chair, as immediate successor to the immortal Washington. In this high station he was succeeded by Mr. Jefferson, after a memorable controversy between their respective friends, in 1801; and from that period his manner of life has been known to all who hear me. He has lived, for five and twenty years, with every enjoyment that could render old age happy. Not inattentive to the occurrences of the times, political cares have yet not materially, or for any long time, disturbed his repose. In 1820 he acted as elector of President and Vice President, and in the same year we saw him, then at the age of eighty-five, a member of the Convention of this Commonwealth called to revise the Constitution. Forty years before, he had been one of those who formed that Constitution; and he had now the pleasure of witnessing that there was little which the people desired to change. Possessing all his faculties to the end of his long life, with an unabated love of reading and contemplation, in the centre of interesting circles of friendship and affection, he was blessed in his retirement with whatever of repose and felicity the condition of man allows. He had, also, other enjoyments. He saw around him that prosperity and general happiness which had been the object of his public cares and labors. No man ever beheld more clearly, and for a longer time, the great and beneficial effects of the services rendered by himself to his country. That liberty which he so early defended, that independence of which he was so able an

advocate and supporter, he saw, we trust, firmly and securely established. The population of the country thickened around him faster, and extended wider, than his own sanguine predictions had anticipated; and the wealth, respectability, and power of the nation sprang up to a magnitude which it is quite impossible he could have expected to witness in his day. He lived also to behold those principles of civil freedom which had been developed, established, and practically applied in America, attract attention, command respect, and awaken imitation, in other regions of the globe; and well might, and well did, he exclaim, "Where will the consequences of the American Revolution end?"

If any thing yet remain to fill this cup of happiness, let it be added, that he lived to see a great and intelligent people bestow the highest honor in their gift where he had bestowed his own kindest parental affections and lodged his fondest hopes. Thus honored in life, thus happy at death, he saw the JUBILEE, and he died; and with the last prayers which trembled on his lips was the fervent supplication for his country, "Independence for ever!"

Mr. Jefferson having been occupied in the years 1778 and 1779 in the important service of revising the laws of Virginia, was elected Governor of that State, as successor to Patrick Henry, and held the situation when the State was invaded by the British arms. In 1781 he published his Notes on Virginia, a work which attracted attention in Europe as well as America, dispelled many misconceptions respecting this continent, and gave its author a place among men distinguished for science. In November, 1783, he again took his seat in the Continental Congress, but in the May following was appointed Minister Plenipotentiary, to act abroad, in the negotiation of commercial treaties, with Dr. Franklin and Mr. Adams. He proceeded to France in execution of this mission, embarking at Boston; and that was the only occasion on which he ever visited this place. In 1785 he was appointed Minister to France, the duties of which situation he continued to perform until October, 1789, when he obtained leave to retire, just on the eve of that tremendous revolution which has so much agitated the world

in our times. Mr. Jefferson's discharge of his diplomatic duties was marked by great ability, diligence, and patriotism; and while he resided at Paris, in one of the most interesting periods, his character for intelligence, his love of knowledge and of the society of learned men, distinguished him in the highest circles of the French capital. No court in Europe had at that time in Paris a representative commanding or enjoying higher regard, for political knowledge or for general attainments, than the minister of this then infant republic. Immediately on his return to his native country, at the organization of the government under the present Constitution, his talents and experience recommended him to President Washington for the first office in his gift. He was placed at the head of the Department of State. In this situation, also, he manifested conspicuous ability. His correspondence with the ministers of other powers residing here, and his instructions to our own diplomatic agents abroad, are among our ablest state papers. A thorough knowledge of the laws and usages of nations, perfect acquaintance with the immediate subject before him, great felicity, and still greater facility, in writing, show themselves in whatever effort his official situation called on him to make. It is believed by competent judges, that the diplomatic intercourse of the government of the United States, from the first meeting of the Continental Congress in 1774 to the present time, taken together, would not suffer, in respect to the talent with which it has been conducted, by comparison with any thing which other and older governments can produce; and to the attainment of this respectability and distinction Mr. Jefferson has contributed his full part.

On the retirement of General Washington from the Presidency, and the election of Mr. Adams to that office in 1797, he was chosen Vice President. While presiding in this capacity over the deliberations of the Senate, he compiled and published a Manual of Parliamentary Practice, a work of more labor and more merit than is indicated by its size. It is now received as the general standard by which proceedings are regulated, not only in both Houses of Congress, but in most of the other legislative bodies in the country. In

1801 he was elected President, in opposition to Mr. Adams, and reëlected in 1805, by a vote approaching towards unanimity.

From the time of his final retirement from public life, in 1808, Mr. Jefferson lived as became a wise man. Surrounded by affectionate friends, his ardor in the pursuit of knowledge undiminished, with uncommon health and unbroken spirits, he was able to enjoy largely the rational pleasures of life, and to partake in that public prosperity which he had so much contributed to produce. His kindness and hospitality, the charm of his conversation, the ease of his manners, the extent of his acquirements, and, especially, the full store of Revolutionary incidents which he had treasured in his memory, and which he knew when and how to dispense, rendered his abode in a high degree attractive to his admiring countrymen, while his high public and scientific character drew towards him every intelligent and educated traveller from abroad. Both Mr. Adams and Mr. Jefferson had the pleasure of knowing that the respect which they so largely received was not paid to their official stations. They were not men made great by office; but great men, on whom the country for its own benefit had conferred office. There was that in them which office did not give, and which the relinquishment of office did not, and could not, take away. In their retirement, in the midst of their fellow-citizens, themselves private citizens, they enjoyed as high regard and esteem as when filling the most important places of public trust.

There remained to Mr. Jefferson yet one other work of patriotism and beneficence, the establishment of a university in his native State. To this object he devoted years of incessant and anxious attention, and by the enlightened liberality of the Legislature of Virginia, and the coöperation of other able and zealous friends, he lived to see it accomplished. May all success attend this infant seminary; and may those who enjoy its advantages, as often as their eyes shall rest on the neighboring height, recollect what they owe to their disinterested and indefatigable benefactor; and may letters honor him who thus labored in the cause of letters!

Thus useful, and thus respected, passed the old age of Thomas Jefferson. But time was on its ever-ceaseless wing, and was now bringing the last hour of this illustrious man. He saw its approach with undisturbed serenity. He counted the moments as they passed, and beheld that his last sands were falling. That day, too, was at hand which he had helped to make immortal. One wish, one hope, if it were not presumptous, beat in his fainting breast. Could it be so, might it please God, he would desire once more to see the sun, once more to look abroad on the scene around him, on the great day of liberty. Heaven, in its mercy, fulfilled that prayer. He saw that sun, he enjoyed its sacred light, he thanked God for this mercy, and bowed his aged head to the grave. "Felix, non vitæ tantum claritate, sed etiam opportunitate mortis."

The last public labor of Mr. Jefferson naturally suggests the expression of the high praise which is due, both to him and to Mr. Adams, for their uniform and zealous attachment to learning, and to the cause of general knowledge. Of the advantages of learning, indeed, and of literary accomplishments, their own characters were striking recommendations and illustrations. They were scholars, ripe and good scholars; widely acquainted with ancient, as well as modern literature, and not altogether uninstructed in the deeper sciences. Their acquirements, doubtless, were different, and so were the particular objects of their literary pursuits; as their tastes and characters, in these respects, differed like those of other men. Being, also, men of busy lives, with great objects requiring action constantly before them, their attainments in letters did not become showy or obtrusive. Yet I would hazard the opinion, that, if we could now ascertain all the causes which gave them eminence and distinction in the midst of the great men with whom they acted, we should find not among the least their early acquisitions in literature, the resources which it furnished, the promptitude and facility which it communicated, and the wide field it opened for analogy and illustration; giving them thus, on every subject, a larger view, and a broader range, as well for discussion as for the government of their own conduct.

Literature sometimes disgusts, and pretension to it much oftener disgusts, by appearing to hang loosely on the character, like something foreign or extraneous, not a part, but an ill-adjusted appendage; or by seeming to overload and weigh it down by its unsightly bulk, like the productions of bad taste in architecture, where there is massy and cumbrous ornament without strength or solidity of column. This has exposed learning, and especially classical learning, to reproach. Men have seen that it might exist without mental superiority, without vigor, without good taste, and without utility. But in such cases classical learning has only not inspired natural talent, or, at most, it has but made original feebleness of intellect, and natural bluntness of perception, something more conspicuous. The question, after all, if it be a question, is, whether literature, ancient as well as modern, does not assist a good understanding, improve natural good taste, add polished armor to native strength, and render its possessor, not only more capable of deriving private happiness from contemplation and reflection, but more accomplished also for action in the affairs of life, and especially for public action. Those whose memories we now honor were learned men; but their learning was kept in its proper place, and made subservient to the uses and objects of life. They were scholars, not common nor superficial; but their scholarship was so in keeping with their character, so blended and inwrought, that careless observers, or bad judges, not seeing an ostentatious display of it, might infer that it did not exist; forgetting, or not knowing, that classical learning in men who act in conspicuous public stations, perform duties which exercise the faculty of writing, or address popular, deliberative, or judicial bodies, is often felt where it is little seen, and sometimes felt more effectually because it is not seen at all.

But the cause of knowledge, in a more enlarged sense, the cause of general knowledge and of popular education, had no warmer friends, nor more powerful advocates, than Mr. Adams and Mr. Jefferson. On this foundation they knew the whole republican system rested; and this great and all-important truth they strove to impress, by all the means

in their power. In the early publication already referred to, Mr. Adams expresses the strong and just sentiment, that the education of the poor is more important, even to the rich themselves, than all their own riches. On this great truth, indeed, is founded that unrivalled, that invaluable political and moral institution, our own blessing and the glory of our fathers, the New England system of free schools.

As the promotion of knowledge had been the object of their regard through life, so these great men made it the subject of their testamentary bounty. Mr. Jefferson is understood to have bequeathed his library to the University of Virginia, and that of Mr. Adams is bestowed on the inhabitants of Quincy.

No men, fellow-citizens, ever served their country with more entire exemption from every imputation of selfish and mercenary motives, than those to whose memory we are paying these proofs of respect. A suspicion of any disposition to enrich themselves, or to profit by their public employments, never rested on either. No sordid motive approached them. The inheritance which they have left to their children is of their character and their fame.

Fellow-citizens, I will detain you no longer by this faint and feeble tribute to the memory of the illustrious dead. Even in other hands, adequate justice could not be done to them, within the limits of this occasion. Their highest, their best praise, is your deep conviction of their merits, your affectionate gratitude for their labors and their services. It is not my voice, it is this cessation of ordinary pursuits, this arresting of all attention, these solemn ceremonies, and this crowded house, which speak their eulogy. Their fame, indeed, is safe. That is now treasured up beyond the reach of accident. Although no sculptured marble should rise to their memory, nor engraved stone bear record of their deeds, yet will their remembrance be as lasting as the land they honored. Marble columns may, indeed, moulder into dust, time may erase all impress from the crumbling stone, but their fame remains; for with AMERICAN LIBERTY it rose, and with AMERICAN LIBERTY ONLY can it perish. It

was the last swelling peal of yonder choir, "THEIR BODIES ARE BURIED IN PEACE, BUT THEIR NAME LIVETH EVERMORE." I catch that solemn song, I echo that lofty strain of funeral triumph, "THEIR NAME LIVETH EVERMORE."

And now, fellow-citizens, let us not retire from this occasion without a deep and solemn conviction of the duties which have devolved upon us. This lovely land, this glorious liberty, these benign institutions, the dear purchase of our fathers, are ours; ours to enjoy, ours to preserve, ours to transmit. Generations past and generations to come hold us responsible for this sacred trust. Our fathers, from behind, admonish us, with their anxious paternal voices; posterity calls out to us, from the bosom of the future; the world turns hither its solicitous eyes; all, all conjure us to act wisely, and faithfully, in the relation which we sustain. We can never, indeed, pay the debt which is upon us; but by virtue, by morality, by religion, by the cultivation of every good principle, and every good habit, we may hope to enjoy the blessing, through our day, and to leave it unimpaired to our children. Let us feel deeply how much of what we are and of what we possess we owe to this liberty, and to these institutions of government. Nature has, indeed, given us a soil which yields bounteously to the hand of industry, the mighty and fruitful ocean is before us, and the skies over our heads shed health and vigor. But what are lands, and seas, and skies, to civilized man, without society, without knowledge, without morals, without religious culture; and how can these be enjoyed, in all their extent, and all their excellence, but under the protection of wise institutions and a free government? Fellow-citizens, there is not one of us, there is not one of us here present, who does not, at this moment, and at every moment, experience, in his own condition, and in the condition of those most near and dear to him, the influence and the benefits of this liberty and these institutions. Let us then acknowledge the blessing, let us feel it deeply and powerfully, let us cherish a strong affection for it, and resolve to maintain and perpetuate it. The blood of our fathers, let it not have been shed in vain; the great hope of posterity, let it not be blasted.

The striking attitude, too, in which we stand to the world around us, a topic to which, I fear, I advert too often, and dwell on too long, cannot be altogether omitted here. Neither individuals nor nations can perform their part well, until they understand and feel its importance, and comprehend and justly appreciate all the duties belonging to it. It is not to inflate national vanity, nor to swell a light and empty feeling of self-importance, but it is that we may judge justly of our situation, and of our own duties, that I earnestly urge upon you this consideration of our position and our character among the nations of the earth. It cannot be denied, but by those who would dispute against the sun, that with America, and in America, a new era commences in human affairs. This era is distinguished by free representative governments, by entire religious liberty, by improved systems of national intercourse, by a newly-awakened and an unconquerable spirit of free inquiry, and by a diffusion of knowledge through the community, such as has been before altogether unknown and unheard of. America, America, our country, fellow-citizens, our own dear and native land, is inseparably connected, fast bound up, in fortune and by fate, with these great interests. If they fall, we fall with them; if they stand, it will be because we have maintained them. Let us contemplate, then, this connection, which binds the prosperity of others to our own; and let us manfully discharge all the duties which it imposes. If we cherish the virtues and the principles of our fathers, Heaven will assist us to carry on the work of human liberty and human happiness. Auspicious omens cheer us. Great examples are before us. Our own firmament now shines brightly upon our path. WASHINGTON is in the clear, upper sky. These other stars have now joined the American constellation; they circle round their centre, and the heavens beam with new light. Beneath this illumination let us walk the course of life, and at its close devoutly commend our beloved country, the common parent of us all, to the Divine Benignity.

REVOLUTIONARY OFFICERS.

Speech delivered in the Senate of the United States, on the 25th of April, 1828, on the Bill for the Relief of the Surviving Officers of the Revolution.

MR. PRESIDENT, — It has not been my purpose to take any part in the discussion of this bill. My opinions in regard to its general object, I hope, are well known; and I had intended to content myself with a steady and persevering vote in its favor. But when the moment of final decision has come, and the division is so likely to be nearly equal, I feel it to be a duty to put, not only my own vote, but my own earnest wishes also, and my fervent entreaties to others, into the doubtful scale.

It must be admitted, Sir, that the persons for whose benefit this bill is designed are, in some respects, peculiarly unfortunate. They are compelled to meet not only objections to the principle, but, whichever way they turn themselves, embarrassing objections also to details. One friend hesitates at this provision, and another at that; while those who are not friends at all of course oppose every thing, and propose nothing. When it was contemplated, heretofore, to give the petitioners a sum outright in satisfaction of their claim, then the argument was, among other things, that the treasury could not bear so heavy a draught on its means at the present moment. The plan is accordingly changed; an annuity is proposed; and then the objection changes also. It is now said, that this is but granting pensions, and that the pension system has already been carried too far. I confess, Sir, I felt wounded, deeply hurt, at the observations of the gentleman from Georgia. "So, then," said he, "these modest and high-minded gentlemen take a pension at last!" How is it possible that a gentleman of his generosity of character, and general kindness of feeling, can indulge in such a tone of triumphant irony towards a few old, gray-headed, poor, and broken warriors of the Revolution! There is, I know, something repulsive and opprobrious in the name of pension. But God forbid that I should taunt them with it! With grief, heartfelt grief, do I behold the necessity which leads these vet-

erans to accept the bounty of their country, in a manner not the most agreeable to their feelings. Worn out and decrepit, represented before us by those, their former brothers in arms, who totter along our lobbies, or stand leaning on their crutches, I, for one, would most gladly support such a measure as should consult at once their services, their years, their necessities, and the delicacy of their sentiments. I would gladly give, with promptitude and grace, with gratitude and delicacy, that which merit has earned and necessity demands.

Sir, what are the objections urged against this bill? Let us look at them, and see if they be real; let us weigh them, to know if they be solid; for we are not acting on a slight matter, nor is what we do likely to pass unobserved now, or to be forgotten hereafter. I regard the occasion as one full of interest and full of responsibility. Those individuals, the little remnant of a gallant band, whose days of youth and manhood were spent for their country in the toils and dangers of the field, are now before us, poor and old — intimating their wants with reluctant delicacy, and asking succor from their country with decorous solicitude. How we shall treat them it behooves us well to consider, not only for their sake, but for our own sake also, and for the sake of the honor of the country. Whatever we do will not be done in a corner. Our constituents will see it; the people will see it; the world will see it.

The bill is intended for those who, being in the army in October, 1780, then received a solemn promise of half pay for life, on condition that they would continue to serve through the war. Their ground of merit is, that, whensoever they joined the army, being thus solicited by their country to remain in it, they at once went for the whole; they fastened their fortunes to the standards which they bore, and resolved to continue their military service till it should terminate either in their country's success or in their own death. This is their merit and their ground of claim. How long they had been already in service, is immaterial and unimportant. They were then in service; the salvation of their country depended on their continuing in that service.

Congress saw this imperative necessity, and earnestly solicited them to remain, and promised the compensation. They saw the necessity also, and they yielded to it.

I support the measure, then, Mr. President, because I think it a proper and judicious exercise of well-merited national bounty. I think, too, the general sentiment of my own constituents, and of the country, is in favor of it. I believe the member from North Carolina himself admitted, that an increasing desire that something should be done for the Revolutionary officers manifested itself in the community. The bill will make no immediate or great draught on the treasury. It will not derange the finances. If I had supposed that the state of the treasury would have been urged against the passage of this bill, I should not have voted for the Delaware breakwater, because that might have been commenced next year; nor for the whole of the sums which have been granted for fortifications; for their advancement with a little more or a little less of rapidity is not of the first necessity. But the present case is urgent. What we do should be done quickly.

Mr. President, allow me to repeat, that neither the subject nor the occasion is an ordinary one. Our own fellow-citizens do not so consider it; the world will not so regard it. A few deserving soldiers are before us, who served their country faithfully through a seven years' war. That war was a civil war. It was commenced on principle, and sustained by every sacrifice, on the great ground of civil liberty. They fought bravely, and bled freely. The cause succeeded, and the country triumphed. But the condition of things did not allow that country, sensible as it was to their services and merits, to do them the full justice which it desired. It could not entirely fulfil its engagements. The army was to be disbanded; but it was unpaid. It was to lay down its own power; but there was no government with adequate power to perform what had been promised to it. In this critical moment, what is its conduct? Does it disgrace its high character? Is temptation able to seduce it? Does it speak of righting itself? Does it undertake to redress its own wrongs by its own sword? Does it lose its patriotism

in its deep sense of injury and injustice? Does military ambition cause its integrity to swerve? Far, far otherwise.

It had faithfully served and saved the country; and to that country it now referred, with unhesitating confidence, its claim and its complaints. It laid down its arms with alacrity; it mingled itself with the mass of the community; and it waited till, in better times, and under a new government, its services might be rewarded, and the promises made to it fulfilled. Sir, this example is worth more, far more, to the cause of civil liberty, than this bill will cost us. We can hardly recur to it too often, or dwell on it too much, for the honor of our country and of its defenders. Allow me to say, again, that meritorious service in civil war is worthy of peculiar consideration; not only because there is, in such wars, usually less power to restrain irregularities, but because, also, they expose all prominent actors in them to different kinds of danger. It is rebellion as well as war. Those who engage in it must look, not only to the dangers of the field, but to confiscation also, and attainder, and ignominious death. With no efficient and settled government, either to sustain or to control them, and with every sort of danger before them, it is great merit to have conducted themselves with fidelity to the country, under every discouragement on the one hand, and with unconquerable bravery towards the common enemy on the other. Such, Sir, was the conduct of the officers and soldiers of the Revolutionary army.

I would not, and do not, underrate the services or the sufferings of others. I know well, that in the Revolutionary contest all made sacrifices, and all endured sufferings; as well those who paid for service, as those who performed it. I know that, in the records of all the little municipalities of New England, abundant proof exists of the zeal with which the cause was espoused, and the sacrifices with which it was cheerfully maintained. I have often there read, with absolute astonishment, of the taxes, the contributions, the heavy subscriptions, sometimes provided for by disposing of the absolute necessaries of life, by which enlistments were procured, and food and clothing furnished. It would be, Sir, to these same

municipalities, to these same little patriotic councils of Revolutionary times, that I should now look, with most assured confidence, for a hearty support of what this bill proposes. There, the scale of Revolutionary merit stands high. There are still those living who speak of the 19th of April, and the 17th of June, without thinking it necessary to add the year. These men, one and all, would rejoice to find that those who stood by the country bravely, through the doubtful and perilous struggle which conducted it to independence and glory, had not been forgotten in the decline and close of life.

The objects, then, Sir, of the proposed bounty, are most worthy and deserving objects. The services which they rendered were in the highest degree useful and important. The country to which they rendered them is great and prosperous. They have lived to see it glorious; let them not live to see it unkind. For me, I can give them but my vote and my prayers; and I give them both with my whole heart.

THE BOSTON MECHANICS' INSTITUTION.

Introductory Lecture, read at the Opening of the Course for the Season, on the 12th of November, 1828.

I APPEAR before you, Gentlemen, for the performance of a duty which is in so great a degree foreign from my habitual studies and pursuits, that it may be presumptuous in me to hope for a creditable execution of the task. But I have not allowed considerations of this kind to weigh against a strong and ardent desire to signify my approbation of the objects, and my conviction of the utility, of this institution; and to manifest my prompt attention to whatever others may suppose to be in my power to promote its respectability and to further its designs.

The constitution of the association declares its precise object to be, "Mutual Instruction in the Sciences, as connected with the Mechanic Arts."

The distinct purpose is to connect science more and more

with art; to teach the established, and invent new, modes of combining skill with strength; to bring the power of the human understanding in aid of the physical powers of the human frame; to facilitate the coöperation of the mind with the hand; to promote convenience, lighten labor, and mitigate toil, by stretching the dominion of mind farther and farther over the elements of nature, and by making those elements themselves submit to human rule, follow human bidding, and work together for human happiness.

The visible and tangible creation into which we are introduced at our birth, is not, in all its parts, fixed and stationary. Motion or change of place, regular or occasional, belongs to all or most of the things which are around us. Animal life every where moves; the earth itself has its motion, and its complexities of motion; the ocean heaves and subsides; rivers run, lingering or rushing, to the sea; and the air which we breathe moves and acts with mighty power. Motion, thus pertaining to the physicial objects which surround us, is the exhaustless fountain whence philosophy draws the means by which, in various degrees and endless forms, natural agencies and the tendencies of inert matter are brought to the succor and assistance of human strength. It is the object of mechanical contrivance to modify motion, to produce it in new forms, to direct it to new purposes, to multiply its uses, by its means to do better that which human strength could do without its aid, and to perform that, also, which such strength, unassisted by art, could not perform.

Motion itself is but the result of force; or, in other words, force is defined to be whatever tends to produce motion. The operation of forces, therefore, on bodies, is the broad field which is open for that philosophical examination, the results of which it is the business of mechanical contrivance to apply. The leading forces or sources of motion are, as is well known, the power of animals, gravity, heat, the winds, and water. There are various others of less power, or of more difficult application. Mechanical philosophy, therefore, may be said to be that science which instructs us in the knowledge of natural moving powers,

animate or inanimate; in the manner of modifying those powers, and of increasing the intensity of some of them by artificial means, such as heat and electricity; and in applying the varieties of force and motion, thus derived from natural agencies, to the arts of life. This is the object of mechanical philosophy. None can doubt, certainly, the high importance of this sort of knowledge, or fail to see how suitable it is to the elevated rank and the dignity of reasoning beings. Man's grand distinction is his intellect, his mental capacity. It is this which renders him highly and peculiarly responsible to his Creator. It is on account of this, that the rule over other animals is established in his hands; and it is this, mainly, which enables him to exercise dominion over the powers of nature, and to subdue them to himself.

But it is true, also, that his own animal organization gives him superiority, and is among the most wonderful of the works of God on earth. It contributes to cause, as well as prove, his elevated rank in creation. His port is erect, his face toward heaven, and he is furnished with limbs which are not absolutely necessary to his support or locomotion, and which are at once powerful, flexible, capable of innumerable modes and varieties of action, and terminated by an instrument of wonderful, heavenly workmanship — the human hand. This marvellous physical conformation gives man the power of acting with great effect upon external objects, in pursuance of the suggestions of his understanding, and of applying the results of his reasoning power to his own purposes. Without this particular formation, he would not be man, with whatever sagacity he might have been endowed. No bounteous grant of intellect, were it the pleasure of Heaven to make such grant, could raise any of the brute creation to an equality with the human race. Were it bestowed on the leviathan, he must remain, nevertheless, in the element where alone he could maintain his physical existence. He would still be but the inelegant, misshapen inhabitant of the ocean, "wallowing unwieldy, enormous in his gait." Were the elephant made to possess it, it would but teach him the deformity of his own struc-

ture, the unsightliness of his frame, though "the hugest of things," his disability to act on external matter, and the degrading nature of his own physical wants, which lead him to the deserts, and give him for his favorite home the torrid plains of the tropics. It was placing the king of Babylon sufficiently out of the rank of human beings, though he carried all his reasoning faculties with him, when he was sent away to eat grass like an ox. And this may properly suggest to our consideration, what is undeniably true, that there is hardly a greater blessing conferred on man than his natural wants. If he had wanted no more than the beasts, who can say how much more than they he would have attained? Does he associate, does he cultivate, does he build, does he navigate? The original impulse to all these lies in his wants. It proceeds from the necessities of his condition, and from the efforts of unsatisfied desire. Every want, not of a low kind, physical as well as moral, which the human breast feels, and which brutes do not feel and cannot feel, raises man by so much in the scale of existence, and is a clear proof and a direct instance of the favor of God towards his so much favored human offspring. If man had been so made as to desire nothing, he would have wanted almost every thing worth possessing.

But doubtless the reasoning faculty, the mind, is the leading and characteristic attribute of the human race. By the exercise of this, man arrives at the knowledge of the properties of natural bodies. This is science, properly and emphatically so called. It is the science of pure mathematics; and in the high branches of this science lies the true sublime of human acquisition. If any attainment deserve that epithet, it is the knowledge, which, from the mensuration of the minutest dust of the balance, proceeds on the rising scale of material bodies, every where weighing, every where measuring, every where detecting and explaining the laws of force and motion, penetrating into the secret principles which hold the universe of God together, and balancing world against world, and system against system. When we seek to accompany those who pursue studies at once so high, so vast, and so exact; when we arrive at the discoveries of Newton,

which pour in day on the works of God, as if a second *fiat* for light had gone forth from his own mouth; when, further, we attempt to follow those who set out where Newton paused, making his goal their starting-place, and, proceeding with demonstration upon demonstration, and discovery upon discovery, bring new worlds and new systems of worlds within the limits of the known universe, failing to learn all only because all is infinite; however we say of man, in admiration of his physical structure, that "in form and moving he is express and admirable," it is here, and here without irreverence, we may exclaim, "in apprehension how like a god!" The study of the pure mathematics will of course not be extensively pursued in an institution, which, like this, has a direct practical tendency and aim. But it is still to be remembered, that pure mathematics lie at the foundation of mechanical philosophy, and that it is ignorance only which can speak or think of that sublime science as useless research or barren speculation.

But if the history of the progress of the mechanical arts be interesting, still more so, doubtless, would be the exhibition of their present state, and a full display of the extent to which they are now carried. This field is much too wide to be entered on this occasion. The briefest outline even would exceed its limits; and the whole subject will regularly fall to hands much more able to sustain it. The slightest glance, however, must convince us that mechanical power and mechanical skill, as they are now exhibited in Europe and America, mark an epoch in human history worthy of all admiration. Machinery is made to perform what has formerly been the toil of human hands, to an extent that astonishes the most sanguine, with a degree of power to which no number of human arms is equal, and with such precision and exactness as almost to suggest the notion of reason and intelligence in the machines themselves. Every natural agent is put unrelentingly to the task. The winds work, the waters work, the elasticity of metals works; gravity is solicited into a thousand new forms of action; levers are multiplied upon levers; wheels revolve on the peripheries of other wheels; the saw and the plane

are tortured into an accommodation to new uses, and, last of all, with inimitable power, and "with whirlwind sound," comes the potent agency of steam. In comparison with the past, what centuries of improvement has this single agent comprised, in the short compass of fifty years! Every where practicable, every where efficient, it has an arm a thousand times stronger than that of Hercules, and to which human ingenuity is capable of fitting a thousand times as many hands as belonged to Briareus. Steam is found in triumphant operation on the seas; and under the influence of its strong propulsion, the gallant ship,—

"Against the wind, against the tide,
Still *steadies*, with an upright keel."

It is on the rivers, and the boatman may repose on his oars; it is on highways, and begins to exert itself along the courses of land conveyance; it is at the bottom of mines, a thousand feet below the earth's surface; it is in the mill, and in the workshops of the trades. It rows, it pumps, it excavates, it carries, it draws, it lifts, it hammers, it spins, it weaves, it prints. It seems to say to men, at least to the class of artisans, "Leave off your manual labor, give over your bodily toil; bestow but your skill and reason to the directing of my power, and I will bear the toil—with no muscle to grow weary, no nerve to relax, no breast to feel faintness." What further improvements may still be made in the use of this astonishing power, it is impossible to know, and it were vain to conjecture. What we do know is, that it has most essentially altered the face of affairs, and that no visible limit yet appears, beyond which its progress is seen to be impossible. If its power were now to be annihilated, if we were to miss it on the water and in the mills, it would seem as if we were going back to rude ages.

New taste and a new excitement are evidently springing up in our vicinity in regard to an art, which, as it unites in a singular degree utility and beauty, affords inviting encouragements to genius and skill. I mean Architecture. Architecture is military, naval, sacred, civil, or domestic. Naval architecture, certainly, is of the highest importance to

a commercial and navigating people, to say nothing of its intimate and essential connection with the means of national defence. This science should not be regarded as having already reached its utmost perfection. It seems to have been for some time in a course of rapid advancement. The building, the rigging, the navigating of ships, have, within the knowledge of every one, been subjects of great improvement within the last fifteen years. And where, rather than in New England, may still further improvements be looked for? Where is ship building either a greater business, or pursued with more skill and eagerness?

In civil, sacred, and domestic architecture, present appearances authorize the strongest hopes of improvement. These hopes rest, among other things, on unambiguous indications of the growing prevalence of a just taste. The principles of architecture are founded in nature, or good sense, as much as the principles of epic poetry. This art constitutes a beautiful medium between what belongs to mere fancy and what belongs entirely to the exact sciences. In its forms and modifications it admits of infinite variation, giving broad room for invention and genius; while, in its general principles, it is founded on that which long experience and the concurrent judgment of ages have ascertained to be generally pleasing. Certain relations of parts to parts have been satisfactory to all the cultivated generations of men. These relations constitute what is called *proportion*, and this is the great basis of architectural art. This established proportion is not to be *followed* merely because it is ancient, but because its use, and the pleasure which it has been found capable of giving to the mind, through the eye, in ancient times, and modern times, and all civilized times, prove that its principles are well founded and just; in the same manner that the Iliad is proved, by the consent of all ages, to be a good poem.

Architecture, I have said, is an art that unites in a singu lar manner the useful and the beautiful. It is not to be inferred from this that every thing in architecture is beautiful, or is to be so esteemed, in exact proportion to its apparent utility. No more is meant, than that nothing which evi-

dently thwarts utility can or ought to be accounted beautiful; because, in every work of art, the design is to be regarded, and what defeats that design cannot be considered as well done. The French rhetoricians have a maxim, that, in literary composition, "nothing is beautiful which is not true." They do not intend to say, that strict and literal truth is alone beautiful in poetry or oratory; but they mean, that that which grossly offends against probability is not in good taste in either. The same relation subsists between beauty and utility in architecture as between truth and imagination in poetry. Utility is not to be obviously sacrificed to beauty, in the one case; truth and probability are not to be outraged for the cause of fiction and fancy, in the other. In the severer styles of architecture, beauty and utility approach so as to be almost identical. Where utility is more especially the main design, the proportions which produce it raise the sense or feeling of beauty, by a sort of reflection or deduction of the mind. It is said that ancient Rome had perhaps no finer specimens of the classic Doric than the sewers which ran under her streets, and which were of course always to be covered from human observation; so true is it, that cultivated taste is always pleased with justness of proportion; and that design, seen to be accomplished, gives pleasure. The discovery and fast-increasing use of a noble material, found in vast abundance nearer to our city than the Pentelican quarries to Athens, may well awaken, as they do, new attention to architectural improvement. If this material be not entirely well suited to the elegant Ionic or the rich Corinthian, it is yet fitted, beyond marble, beyond perhaps almost any other material, for the Doric, of which the appropriate character is strength, and for the Gothic, of which the appropriate character is grandeur.

It is not more than justice, perhaps, to our ancestors, to call the Gothic the English classic architecture; for in England, probably, are its most distinguished specimens. As its leading characteristic is grandeur, its main use would seem to be sacred. It had its origin, indeed, in ecclesiastical architecture. Its evident design was to surpass the ancient orders by the size of the structure and its far greater

heights; to excite perceptions of beauty by the branching traceries and the gorgeous tabernacles within; and to inspire religious awe and reverence by the lofty pointed arches, the flying buttresses, the spires, and the pinnacles, springing from beneath, and stretching upwards towards the heavens with the prayers of the worshippers. Architectural beauty having always a direct reference to utility, edifices, whether civil or sacred, must of course undergo different changes, in different places, on account of climate, and in different ages, on account of the different states of other arts or different notions of convenience. The hypethral temple, for example, or temple without a roof, is not to be thought of in our latitude; and the use of glass, a thing not now to be dispensed with, is also to be accommodated, as well as it may be, to the architectural structure. These necessary variations, and many more admissible ones, give room for improvements to an indefinite extent, without departing from the principles of true taste. May we not hope, then, to see our own city celebrated as the city of architectural excellence? May we not hope to see our native granite reposing in the ever-during strength of the Doric, or springing up in the grand and lofty Gothic, in forms which beauty and utility, the eye and the judgment, taste and devotion, shall unite to approve and to admire? But while we regard sacred and civil architecture as highly important, let us not forget that other branch, so essential to personal comfort and happiness — domestic architecture, or common house building. In ancient times, in all governments, and under despotic governments in all times, the convenience or gratification of the monarch, the government, or the public has been allowed too often to put aside considerations of personal and individual happiness. With us, different ideas happily prevail. With us, it is not the public, or the government, in its corporate character, that is the only object of regard. The public happiness is to be the aggregate of the happiness of individuals. Our system begins with the individual man. It begins with him when he leaves the cradle; and it proposes to instruct him in knowledge and in morals, to prepare him for his state of manhood; on his

arrival at that state, to invest him with political rights, to protect him in his property and pursuits, and in his family and social connections; and thus to enable him to enjoy, as an individual moral and rational being, what belongs to a moral and rational being. For the same reason, the arts are to be promoted for their general utility, as they affect the personal happiness and well being of the individuals who compose the community. It would be adverse to the whole spirit of our system, that we should have gorgeous and expensive public buildings, if individuals were at the same time to live in houses of mud. Our public edifices are to be reared by the surplus of wealth and the savings of labor, after the necessities and comforts of individuals are provided for; and not, like the Pyramids, by the unremitted toil of thousands of half-starved slaves. Domestic architecture, therefore, as connected with individual comfort and happiness, is to hold a first place in the esteem of our artists. Let our citizens have houses cheap, but comfortable; not gaudy, but in good taste; not judged by the portion of earth they cover, but by their symmetry, their fitness for use, and their durability.

Without further reference to particular arts with which the objects of this society have a close connection, it may yet be added, generally, that this is a period of great activity, of industry, of enterprise in the various walks of life. It is a period, too, of growing wealth and increasing prosperity. It is a time when men are fast multiplying, but when means are increasing still faster than men. An auspicious moment, then, it is, full of motive and encouragement, for the vigorous prosecution of those inquiries which have for their object the discovery of further and further means of uniting the results of scientific research to the arts and business of life.

SPEECH ON FOOT'S RESOLUTION.

Delivered in the Senate of the United States on the 26th of January, 1830.

On the 29th of December, 1829, a resolution was moved by Mr. Foot, one of the Senators from Connecticut. On the 18th of January, Mr. Benton, of Missouri, addressed the Senate on the subject of the resolution. On the 19th, Mr. Hayne, of South Carolina, spoke at considerable length. After he had concluded, Mr. Webster rose to reply, but gave way on motion of Mr. Benton for an adjournment. On the 20th Mr. Webster spoke, and having concluded his first speech, Mr. Benton spoke in reply, on the 20th and 21st of January, 1830. Mr. Hayne, of South Carolina, followed on the same side, and on Monday, the 25th, concluded his argument. The next day (26th January, 1830) Mr. Webster took the floor.

Mr. President, — When the mariner has been tossed for many days in thick weather, and on an unknown sea, he naturally avails himself of the first pause in the storm, the earliest glance of the sun, to take his latitude, and ascertain how far the elements have driven him from his true course. Let us imitate this prudence, and, before we float farther on the waves of this debate, refer to the point from which we departed, that we may at least be able to conjecture where we now are. I ask for the reading of the resolution before the Senate.

The Secretary read the resolution, as follows: —

"*Resolved*, That the Committee on Public Lands be instructed to inquire and report the quantity of public lands remaining unsold within each State and Territory, and whether it be expedient to limit for a certain period the sales of the public lands to such lands only as have heretofore been offered for sale, and are now subject to entry at the minimum price. And, also, whether the office of Surveyor General, and some of the land offices, may not be abolished without detriment to the public interest; or whether it be expedient to adopt measures to hasten the sales and extend more rapidly the surveys of the public lands."

We have thus heard, Sir, what the resolution is which is actually before us for consideration; and it will readily occur to every one, that it is almost the only subject about which something has not been said in the speech, running

through two days, by which the Senate has been entertained by the gentleman from South Carolina. Every topic in the wide range of our public affairs, whether past or present, — every thing, general or local, whether belonging to national politics or party politics, — seems to have attracted more or less of the honorable member's attention, save only the resolution before the Senate. He has spoken of every thing but the public lands; they have escaped his notice. To that subject, in all his excursions, he has not paid even the cold respect of a passing glance.

When this debate, Sir, was to be resumed, on Thursday morning, it so happened that it would have been convenient for me to be elsewhere. The honorable member, however, did not incline to put off the discussion to another day. He had a shot, he said, to return, and he wished to discharge it. That shot, Sir, which he thus kindly informed us was coming, that we might stand out of the way, or prepare ourselves to fall by it and die with decency, has now been received. Under all advantages, and with expectation awakened by the tone which preceded it, it has been discharged, and has spent its force. It may become me to say no more of its effect, than that, if nobody is found, after all, either killed or wounded, it is not the first time, in the history of human affairs, that the vigor and success of the war have not quite come up to the lofty and sounding phrase of the manifesto.

The gentleman, Sir, in declining to postpone the debate, told the Senate, with the emphasis of his hand upon his heart, that there was something rankling *here*, which he wished to relieve. [Mr. Hayne rose, and disclaimed having used the word *rankling*.] It would not, Mr. President, be safe for the honorable member to appeal to those around him, upon the question whether he did in fact make use of that word. But he may have been unconscious of it. At any rate, it is enough that he disclaims it. But still, with or without the use of that particular word, he had yet something *here*, he said, of which he wished to rid himself by an immediate reply. In this respect, Sir, I have a great advantage over the honorable gentleman. There is nothing *here*,

Sir, which gives me the slightest uneasiness; neither fear, nor anger, nor that which is sometimes more troublesome than either, the consciousness of having been in the wrong. There is nothing, either originating *here*, or now received *here* by the gentleman's shot. Nothing originating here, for I had not the slightest feeling of unkindness towards the honorable member. Some passages, it is true, had occurred since our acquaintance in this body, which I could have wished might have been otherwise; but I had used philosophy and forgotten them. I paid the honorable member the attention of listening with respect to his first speech; and when he sat down, though surprised, and I must even say astonished, at some of his opinions, nothing was farther from my intention than to commence any personal warfare. Through the whole of the few remarks I made in answer, I avoided, studiously and carefully, every thing which I thought possible to be construed into disrespect. And, Sir, while there is thus nothing originating *here* which I have wished at any time, or now wish, to discharge, I must repeat, also, that nothing has been received *here* which *rankles*, or in any way gives me annoyance. I will not accuse the honorable member of violating the rules of civilized war; I will not say, that he poisoned his arrows. But whether his shafts were, or were not, dipped in that which would have caused rankling if they had reached their destination, there was not, as it happened, quite strength enough in the bow to bring them to their mark. If he wishes now to gather up those shafts, he must look for them elsewhere; they will not be found fixed and quivering in the object at which they were aimed.

The honorable member complained that I had slept on his speech. I must have slept on it, or not slept at all. The moment the honorable member sat down, his friend from Missouri rose, and, with much honeyed commendation of the speech, suggested that the impressions which it had produced were too charming and delightful to be disturbed by other sentiments or other sounds, and proposed that the Senate should adjourn. Would it have been quite amiable in me, Sir, to interrupt this excellent good feeling? Must

I not have been absolutely malicious, if I could have thrust myself forward, to destroy sensations thus pleasing? Was it not much better and kinder, both to sleep upon them myself, and to allow others also the pleasure of sleeping upon them? But if it be meant, by sleeping upon his speech, that I took time to prepare a reply to it, it is quite a mistake. Owing to other engagements, I could not employ even the interval between the adjournment of the Senate and its meeting the next morning, in attention to the subject of this debate. Nevertheless, Sir, the mere matter of fact is undoubtedly true. I did sleep on the gentleman's speech, and slept soundly. And I slept equally well on his speech of yesterday, to which I am now replying. It is quite possible that in this respect, also, I possess some advantage over the honorable member, attributable, doubtless, to a cooler temperament on my part; for, in truth, I slept upon his speeches remarkably well.

But the gentleman inquires why *he* was made the object of such a reply. Why was *he* singled out? If an attack has been made on the East, he, he assures us, did not begin it; it was made by the gentleman from Missouri. Sir, I answered the gentleman's speech because I happened to hear it; and because, also, I chose to give an answer to that speech, which, if unanswered, I thought most likely to produce injurious impressions. I did not stop to inquire who was the original drawer of the bill. I found a responsible indorser before me, and it was my purpose to hold him liable, and to bring him to his just responsibility, without delay. But, Sir, this interrogatory of the honorable member was only introductory to another. He proceeded to ask me whether I had turned upon him, in this debate, from the consciousness that I should find an overmatch, if I ventured on a contest with his friend from Missouri. If, Sir, the honorable member, *modestiæ gratia*, had chosen thus to defer to his friend, and to pay him a compliment, without intentional disparagement to others, it would have been quite according to the friendly courtesies of debate, and not at all ungrateful to my own feelings. I am not one of those, Sir, who esteem any tribute of regard, whether light and occasional,

or more serious and deliberate, which may be bestowed on others, as so much unjustly withholden from themselves. But the tone and manner of the gentleman's question forbid me thus to interpret it. I am not at liberty to consider it as nothing more than a civility to his friend. It had an air of taunt and disparagement, something of the loftiness of asserted superiority, which does not allow me to pass it over without notice. It was put as a question for me to answer, and so put as if it were difficult for me to answer, whether I deemed the member from Missouri an overmatch for myself, in debate here. It seems to me, Sir, that this is extraordinary language, and an extraordinary tone, for the discussions of this body.

Matches and overmatches! Those terms are more applicable elsewhere than here, and fitter for other assemblies than this. Sir, the gentleman seems to forget where and what we are. This is a Senate, a Senate of equals, of men of individual honor and personal character, and of absolute independence. We know no masters, we acknowledge no dictators. This is a hall for mutual consultation and discussion; not an arena for the exhibition of champions. I offer myself, Sir, as a match for no man; I throw the challenge of debate at no man's feet. But then, Sir, since the honorable member has put the question in a manner that calls for an answer, I will give him an answer; and I tell him, that, holding myself to be the humblest of the members here, I yet know nothing in the arm of his friend from Missouri, either alone or when aided by the arm of *his* friend from South Carolina, that need deter even me from espousing whatever opinions I may choose to espouse, from debating whenever I may choose to debate, or from speaking whatever I may see fit to say, on the floor of the Senate. Sir, when uttered as matter of commendation or compliment, I should dissent from nothing which the honorable member might say of his friend. Still less do I put forth any pretensions of my own. But when put to me as matter of taunt, I throw it back, and say to the gentleman, that he could possibly say nothing less likely than such a comparison to wound my pride of personal character. The anger

of its tone rescued the remark from intentional irony, which otherwise, probably, would have been its general acceptation. But, Sir, if it be imagined that by this mutual quotation and commendation; if it be supposed that, by casting the characters of the drama, assigning to each his part, to one the attack, to another the cry of onset; or if it be thought that, by a loud and empty vaunt of anticipated victory, any laurels are to be won here; if it be imagined, especially, that any, or all these things will shake any purpose of mine, I can tell the honorable member, once for all, that he is greatly mistaken, and that he is dealing with one of whose temper and character he has yet much to learn. Sir, I shall not allow myself, on this occasion, I hope on no occasion, to be betrayed into any loss of temper; but if provoked, as I trust I never shall be, into crimination and recrimination, the honorable member may perhaps find that, in that contest, there will be blows to take as well as blows to give; that others can state comparisons as significant, at least, as his own, and that his impunity may possibly demand of him whatever powers of taunt and sarcasm he may possess. I commend him to a prudent husbandry of his resources.

The real question between me and him is, Has the doctrine been advanced at the South or the East, that the population of the West should be retarded, or at least need not be hastened, on account of its effect to drain off the people from the Atlantic States? Is this doctrine, as has been alleged, of Eastern origin? That is the question. Has the gentleman found any thing by which he can make good his accusation? I submit to the Senate, that he has entirely failed; and, as far as this debate has shown, the only person who has advanced such sentiments is a gentleman from South Carolina, and a friend of the honorable member himself. The honorable gentleman has given no answer to this; there is none which can be given. The simple fact, while it requires no comment to enforce it, defies all argument to refute it. I could refer to the speeches of another Southern gentleman, in years before, of the same general character, and to the same effect, as that which has been

quoted; but I will not consume the time of the Senate by the reading of them.

So then, Sir, New England is guiltless of the policy of retarding Western population, and of all envy and jealousy of the growth of the new States. Whatever there be of that policy in the country, no part of it is hers. If it has a local habitation, the honorable member has probably seen by this time where to look for it; and if it now has received a name, he has himself christened it.

We approach, at length, Sir, to a more important part of the honorable gentleman's observations. Since it does not accord with my views of justice and policy to give away the public lands altogether, as a mere matter of gratuity, I am asked by the honorable gentleman on what ground it is that I consent to vote them away in particular instances. How, he inquires, do I reconcile with these professed sentiments, my support of measures appropriating portions of the lands to particular roads, particular canals, particular rivers, and particular institutions of education in the West? This leads, Sir, to the real and wide difference in political opinion between the honorable gentleman and myself. On my part, I look upon all these objects as connected with the common good, fairly embraced in its object and its terms; he, on the contrary, deems them all, if good at all, only local good. This is our difference. The interrogatory which he proceeded to put, at once explains this difference. "What interest," asks he, "has South Carolina in a canal in Ohio?" Sir, this very question is full of significance. It develops the gentleman's whole political system; and its answer expounds mine. Here we differ. I look upon a road over the Alleghanies, a canal round the falls of the Ohio, or a canal or railway from the Atlantic to the Western waters, as being an object large and extensive enough to be fairly said to be for the common benefit. The gentleman thinks otherwise, and this is the key to his construction of the powers of the government. He may well ask what interest has South Carolina in a canal in Ohio. On his system, it is true, she has no interest. On that system Ohio and Carolina are different governments, and different coun-

tries; connected here, it is true, by some slight and ill-defined bond of union, but in all main respects separate and diverse. On that system, Carolina has no more interest in a canal in Ohio than in Mexico. The gentleman, therefore, only follows out his own principles; he does no more than arrive at the natural conclusions of his own doctrines; he only announces the true results of that creed which he has adopted himself, and would persuade others to adopt, when he thus declares that South Carolina has no interest in a public work in Ohio.

Sir, we narrow-minded people of New England do not reason thus. Our *notion* of things is entirely different. We look upon the States, not as separated, but as united. We love to dwell on that union, and on the mutual happiness which it has so much promoted, and the common renown which it has so greatly contributed to acquire. In our contemplation, Carolina and Ohio are parts of the same country; States, united under the same general government, having interests, common, associated, interningled. In whatever is within the proper sphere of the constitutional power of this government, we look upon the States as one. We do not impose geographical limits to our patriotic feeling or regard; we do not follow rivers and mountains, and lines of latitude, to find boundaries, beyond which public improvements do not benefit us. We who come here, as agents and representatives of these narrow-minded and selfish men of New England, consider ourselves as bound to regard with an equal eye the good of the whole, in whatever is within our powers of legislation. Sir, if a railroad or canal, beginning in South Carolina and ending in South Carolina, appeared to me to be of national importance and national magnitude, believing, as I do, that the power of government extends to the encouragement of works of that description, if I were to stand up here and ask, What interest has Massachusetts in a railroad in South Carolina? I should not be willing to face my constituents. These same narrow-minded men would tell me, that they had sent me to act for the whole country, and that one who possessed too little comprehension, either of intellect or feeling, one who was not large enough, both in mind and in

heart, to embrace the whole, was not fit to be intrusted with the interest of any part.

Sir, I do not desire to enlarge the powers of the government by unjustifiable construction, nor to exercise any not within a fair interpretation. But when it is believed that a power does exist, then it is, in my judgment, to be exercised for the general benefit of the whole. So far as respects the exercise of such a power, the States are one. It was the very object of the Constitution to create unity of interests to the extent of the powers of the general government. In war and peace we are one; in commerce, one; because the authority of the general government reaches to war and peace, and to the regulation of commerce. I have never seen any more difficulty in erecting lighthouses on the lakes, than on the ocean; in improving the harbors of inland seas, than if they were within the ebb and flow of the tide; or in removing obstructions in the vast streams of the West, more than in any work to facilitate commerce on the Atlantic coast. If there be any power for one, there is power also for the other; and they are all and equally for the common good of the country.

Mr. President, I shall not, it will not, I trust, be expected that I should, either now or at any time, separate this farrago into parts, and answer and examine its components. I shall barely bestow upon it all a general remark or two. In the run of forty years, Sir, under this Constitution, we have experienced sundry successive violent party contests. Party arose, indeed, with the Constitution itself, and, in some form or other, has attended it through the greater part of its history. Whether any other constitution than the old Articles of Confederation was desirable, was itself a question on which parties divided; if a new constitution were framed, what powers should be given to it was another question; and when it had been formed, what was, in fact, the just extent of the powers actually conferred was a third. Parties, as we know, existed under the first administration, as distinctly marked as those which have manifested themselves at any subsequent period. The contest immediately preceding the political change in 1801, and that, again, which

existed at the commencement of the late war, are other instances of party excitement, of something more than usual strength and intensity. In all these conflicts there was, no doubt, much of violence on both and all sides. It would be impossible, if one had a fancy for such employment, to adjust the relative *quantum* of violence between these contending parties. There was enough in each, as must always be expected in popular governments. With a great deal of popular and decorous discussion, there was mingled a great deal, also, of declamation, virulence, crimination, and abuse. In regard to any party, probably, at one of the leading epochs in the history of parties, enough may be found to make out another inflamed exhibition, not unlike that with which the honorable member has edified us. For myself, Sir, I shall not rake among the rubbish of by-gone times, to see what I can find, or whether I cannot find something by which I can fix a blot on the escutcheon of any State, any party, or any part of the country. General Washington's administration was steadily and zealously maintained, as we all know, by New England. It was violently opposed elsewhere. We know in what quarter he had the most earnest, constant, and persevering support, in all his great and leading measures. We know where his private and personal character was held in the highest degree of attachment and veneration; and we know, too, where his measures were opposed, his services slighted, and his character vilified. We know, or we might know, if we turned to the journals, who expressed respect, gratitude, and regret, when he retired from the chief magistracy, and who refused to express either respect, gratitude, or regret. I shall not open those journals. Publications more abusive or scurrilous never saw the light, than were sent forth against Washington, and all his leading measures, from presses south of New England. But I shall not look them up. I employ no scavengers, no one is in attendance on me, furnishing such means of retaliation; and if there were, with an ass's load of them, with a bulk as huge as that which the gentleman himself has produced, I would not touch one of them. I see enough of the violence of our own times, to be no way

anxious to rescue from forgetfulness the extravagances of times past.

Besides, what is all this to the present purpose? It has nothing to do with the public lands, in regard to which the attack was begun; and it has nothing to do with those sentiments and opinions which, I have thought, tend to disunion, and all of which the honorable member seems to have adopted himself, and undertaken to defend. New England has, at times, so argues the gentleman, held opinions as dangerous as those which he now holds. Suppose this were so; why should *he* therefore abuse New England? If he finds himself countenanced by acts of hers, how is it that, while he relies on these acts, he covers, or seeks to cover, their authors with reproach? But, Sir, if, in the course of forty years, there have been undue effervescences of party in New England, has the same thing happened nowhere else? Party animosity and party outrage, not in New England, but elsewhere, denounced President Washington, not only as a Federalist, but as a Tory, a British agent, a man who in his high office sanctioned corruption. But does the honorable member suppose, if I had a tender here who should put such an effusion of wickedness and folly into my hand, that I would stand up and read it against the South? Parties ran into great heats again in 1799 and 1800. What was said, Sir, or rather what was not said, in those years, against John Adams, one of the committee that drafted the Declaration of Independence, and its admitted ablest defender on the floor of Congress? If the gentleman wishes to increase his stores of party abuse and frothy violence, if he has a determined proclivity to such pursuits, there are treasures of that sort south of the Potomac, much to his taste, yet untouched. I shall not touch them.

The parties which divided the country at the commencement of the late war were violent. But then there was violence on both sides and in every State. Minorities and majorities were equally violent. There was no more violence against the war in New England, than in other States; nor any more appearance of violence, except that, owing to a dense population, greater facility of assembling, and more

presses, there may have been more in quantity spoken and printed there than in some other places. In the article of sermons, too, New England is somewhat more abundant than South Carolina; and for that reason the chance of finding here and there an exceptionable one may be greater. I hope, too, there are more good ones. Opposition may have been more formidable in New England, as it embraced a larger portion of the whole population; but it was no more unrestrained in principle, or violent in manner. The minorities dealt quite as harshly with their own State governments as the majorities dealt with the administration here. There were presses on both sides, popular meetings on both sides, ay, and pulpits on both sides also. The gentleman's purveyors have only catered for him among the productions of one side. I certainly shall not supply the deficiency by furnishing examples of the other. I leave to him, and to them, the whole concern.

It is enough for me to say, that if, in any part of this their grateful occupation, if, in all their researches, they find any thing in the history of Massachusetts, or New England, or in the proceedings of any legislative or other public body, disloyal to the Union, speaking slightingly of its value, proposing to break it up, or recommending non-intercourse with neighboring States on account of difference of political opinion, then, Sir, I give them all up to the honorable gentleman's unrestrained rebuke; expecting, however, that he will extend his buffetings in like manner *to all similar proceedings, wherever else found.*

Sir, let me recur to pleasing recollections; let me indulge in refreshing remembrance of the past; let me remind you that, in early times, no States cherished greater harmony, both of principle and feeling, than Massachusetts and South Carolina. Would to God that harmony might again return! Shoulder to shoulder they went through the Revolution, hand in hand they stood round the administration of Washington, and felt his own great arm lean on them for support. Unkind feeling, if it exist, alienation, and distrust are the growth, unnatural to such soils, of false principles since sown. They are weeds, the seeds of which that same great arm never scattered.

Mr. President, I shall enter on no encomium upon Massachusetts; she needs none. There she is. Behold her, and judge for yourselves. There is her history; the world knows it by heart. The past, at least, is secure. There is Boston, and Concord, and Lexington, and Bunker Hill; and there they will remain for ever. The bones of her sons, falling in the great struggle for Independence, now lie mingled with the soil of every State from New England to Georgia; and there they will lie for ever. And Sir, where American Liberty raised its first voice, and where its youth was nurtured and sustained, there it still lives, in the strength of its manhood, and full of its original spirit. If discord and disunion shall wound it, if party strife and blind ambition shall hawk at and tear it, if folly and madness, if uneasiness under salutary and necessary restraint, shall succeed in separating it from that Union, by which alone its existence is made sure, it will stand, in the end, by the side of that cradle in which its infancy was rocked; it will stretch forth its arm with whatever vigor it may still retain over the friends who gather round it; and it will fall at last, if fall it must, amidst the proudest monuments of its own glory, and on the very spot of its origin.

I must now beg to ask, Sir, Whence is this supposed right of the States derived? Where do they find the power to interfere with the laws of the Union? Sir, the opinion which the honorable gentleman maintains is a notion founded in a total misapprehension, in my judgment, of the origin of this government, and of the foundation on which it stands. I hold it to be a popular government, erected by the people; those who administer it, responsible to the people; and itself capable of being amended and modified, just as the people may choose it should be. It is as popular, just as truly emanating from the people, as the State governments. It is created for one purpose; the State governments for another. It has its own powers; they have theirs. There is no more authority with them to arrest the operation of a law of Congress, than with Congress to arrest the operation of their laws. We are here to administer a Constitution emanating immediately from the people, and trusted

by them to our administration. It is not the creature of the State governments. It is of no moment to the argument, that certain acts of the State legislature are necessary to fill our seats in this body. That is not one of their original State powers, a part of the sovereignty of the State. It is a duty which the people, by the Constitution itself, have imposed on the State legislatures; and which they might have left to be performed elsewhere, if they had seen fit. So they have left the choice of President with electors; but all this does not affect the proposition that this whole government, President, Senate, and House of Representatives, is a popular government. It leaves it still all its popular character. The governor of a State (in some of the States) is chosen not directly by the people, but by those who are chosen by the people, for the purpose of performing, among other duties, that of electing a governor. Is the government of the State, on that account, not a popular government? This government, Sir, is the independent offspring of the popular will. It is not the creature of State legislatures; nay, more, if the whole truth must be told, the people brought it into existence, established it, and have hitherto supported it, for the very purpose, amongst others, of imposing certain salutary restraints on State sovereignties. The States cannot now make war; they cannot contract alliances; they cannot make, each for itself, separate regulations of commerce; they cannot lay imposts; they cannot coin money. If this Constitution, Sir, be the creature of State legislatures, it must be admitted that it has obtained a strange control over the volitions of its creators.

The people, then, Sir, erected this government. They gave it a Constitution, and in that Constitution they have enumerated the powers which they bestow on it. They have made it a limited government. They have defined its authority. They have restrained it to the exercise of such powers as are granted; and all others, they declare, are reserved to the States or the people. But, Sir, they have not stopped here. If they had, they would have accomplished but half their work. No definition can be so clear, as to avoid possibility of doubt; no limitation so precise,

as to exclude all uncertainty. Who, then, shall construe this grant of the people? Who shall interpret their will, where it may be supposed they have left it doubtful? With whom do they repose this ultimate right of deciding on the powers of the government? Sir, they have settled all this in the fullest manner. They have left it with the government itself, in its appropriate branches. Sir, the very chief end, the main design, for which the whole Constitution was framed and adopted, was to establish a government that should not be obliged to act through State agency, or depend on State opinion and State discretion. The people had had quite enough of that kind of government under the Confederation. Under that system, the legal action, the application of law to individuals, belonged exclusively to the States. Congress could only recommend; their acts were not of binding force, till the States had adopted and sanctioned them. Are we in that condition still? Are we yet at the mercy of State discretion and State construction? Sir, if we are, then vain will be our attempt to maintain the Constitution under which we sit.

But, Sir, the people have wisely provided, in the Constitution itself, a proper, suitable mode and tribunal for settling questions of constitutional law. There are in the Constitution grants of powers to Congress, and restrictions on these powers. There are, also, prohibitions on the States. Same authority must, therefore, necessarily exist, having the ultimate jurisdiction to fix and ascertain the interpretation of these grants, restrictions, and prohibitions. The Constitution itself has pointed out, ordained, and established that authority. How has it accomplished this great and essential end? By declaring, Sir, that "*the Constitution, and the laws of the United States made in pursuance thereof, shall be the supreme law of the land, any thing in the constitution or laws of any State to the contrary notwithstanding.*"

This, Sir, was the first great step. By this the supremacy of the Constitution and laws of the United States is declared. The people so will it. No State law is to be valid which comes in conflict with the Constitution, or any law of the United States passed in pursuance of it. But

who shall decide this question of interference? To whom lies the last appeal? This, Sir, the Constitution itself decides also, by declaring, "*that the judicial power shall extend to all cases arising under the Constitution and laws of the United States.*" These two provisions cover the whole ground. They are, in truth, the keystone of the arch! With these it is a government; without them it is a confederation. In pursuance of these clear and express provisions, Congress established, at its very first session, in the judicial act, a mode for carrying them into full effect, and for bringing all questions of constitutional power to the final decision of the Supreme Court. It then, Sir, became a government. It then had the means of self-protection; and but for this, it would, in all probability, have been now among things which are past. Having constituted the government, and declared its powers, the people have further said, that, since somebody must decide on the extent of these powers, the government shall itself decide; subject, always, like other popular governments, to its responsibility to the people. And now, Sir, I repeat, how is it that a State legislature acquires any power to interfere? Who, or what, gives them the right to say to the people, "We, who are your agents and servants for one purpose, will undertake to decide, that your other agents and servants, appointed by you for another purpose, have transcended the authority you gave them!" The reply would be, I think, not impertinent, — "Who made you a judge over another's servants? To their own masters they stand or fall."

But, Sir, although there are fears, there are hopes also. The people have preserved this, their own chosen Constitution, for forty years, and have seen their happiness, prosperity, and renown grow with its growth, and strengthen with its strength. They are now, generally, strongly attached to it. Overthrown by direct assault, it cannot be; evaded, undermined, NULLIFIED, it will not be, if we, and those who shall succeed us here, as agents and representatives of the people, shall conscientiously and vigilantly discharge the two great branches of our public trust, faithfully to preserve, and wisely to administer it.

Mr. President, I have thus stated the reasons of my dissent to the doctrines which have been advanced and maintained. I am conscious of having detained you and the Senate much too long. I was drawn into the debate with no previous deliberation, such as is suited to the discussion of so grave and important a subject. But it is a subject of which my heart is full, and I have not been willing to suppress the utterance of its spontaneous sentiments. I cannot, even now, persuade myself to relinquish it, without expressing once more my deep conviction, that, since it respects nothing less than the Union of the States, it is of most vital and essential importance to the public happiness. I profess, Sir, in my career hitherto, to have kept steadily in view the prosperity and honor of the whole country, and the preservation of our Federal Union. It is to that Union we owe our safety at home, and our consideration and dignity abroad. It is to that Union that we are chiefly indebted for whatever makes us most proud of our country. That Union we reached only by the discipline of our virtues in the severe school of adversity. It had its origin in the necessities of disordered finance, prostrate commerce, and ruined credit. Under its benign influences, these great interests immediately awoke, as from the dead, and sprang forth with newness of life. Every year of its duration has teemed with fresh proofs of its utility and its blessings; and although our territory has stretched out wider and wider, and our population spread farther and farther, they have not outrun its protection or its benefits. It has been to us all a copious fountain of national, social, and personal happiness.

I have not allowed myself, Sir, to look beyond the Union, to see what might lie hidden in the dark recess behind. I have not coolly weighed the chances of preserving liberty when the bonds that unite us together shall be broken asunder. I have not accustomed myself to hang over the precipice of disunion, to see whether, with my short sight, I can fathom the depth of the abyss below; nor could I regard him as a safe counsellor in the affairs of this government, whose thoughts should be mainly bent on considering, not

how the Union may be best preserved, but how tolerable might be the condition of the people when it should be broken up and destroyed. While the Union lasts, we have high, exciting, gratifying prospects spread out before us, for us and our children. Beyond that I seek not to penetrate the veil. God grant that in my day, at least, that curtain may not rise! God grant that on my vision never may be opened what lies behind! When my eyes shall be turned to behold for the last time the sun in heaven, may I not see him shining on the broken and dishonored fragments of a once glorious Union; on States dissevered, discordant, belligerent; on a land rent with civil feuds, or drenched, it may be, in fraternal blood! Let their last feeble and lingering glance rather behold the gorgeous ensign of the republic, now known and honored throughout the earth, still full high advanced, its arms and trophies streaming in their original lustre, not a stripe erased or polluted, nor a single star obscured, bearing for its motto, no such miserable interrogatory as "What is all this worth?" nor those other words of delusion and folly, "Liberty first and Union afterwards;" but every where, spread all over in characters of living light, blazing on all its ample folds, as they float over the sea and over the land, and in every wind under the whole heavens, that other sentiment, dear to every true American heart — Liberty *and* Union, now and for ever, one and inseparable!

LAST REMARKS ON FOOT'S RESOLUTION.

Delivered in the Senate, on the 27th of January, 1830.

Mr. Hayne having rejoined to Mr. Webster, especially on the constitutional question, Mr. Webster rose, and, in conclusion, said: —

A few words, Mr. President, on this constitutional argument, which the honorable gentleman has labored to reconstruct.

His argument consists of two propositions and an inference. His propositions are, —

1. That the Constitution is a compact between the States.
2. That a compact between two, with authority reserved

to one to interpret its terms, would be a surrender to that one of all power whatever.

3. Therefore, (such is his inference,) the general government does not possess the authority to construe its own powers.

Now, Sir, who does not see, without the aid of exposition or detection, the utter confusion of ideas involved in this so elaborate and systematic argument?

The Constitution, it is said, is a compact *between States;* the States, then, and the States only, *are parties* to the compact. How comes the general government itself *a party?* Upon the honorable gentleman's hypothesis, the general government is the result of the compact, the creature of the compact, not one of the parties to it. Yet the argument, as the gentleman has now stated it, makes the government itself one of its own creators. It makes it a party to that compact to which it owes its own existence.

For the purpose of erecting the Constitution on the basis of a compact, the gentleman considers the States as parties to that compact; but as soon as his compact is made, then he chooses to consider the general government, which is the offspring of that compact, not its offspring, but one of its parties; and so, being a party, without the power of judging on the terms of compact. Pray, Sir, in what school is such reasoning as this taught?

While the gentleman is contending against construction, he himself is setting up the most loose and dangerous construction. The Constitution declares, that *the laws of Congress passed in pursuance of the Constitution shall be the supreme law of the land.* No construction is necessary here. It declares, also, with equal plainness and precision, *that the judicial power of the United States shall extend to every case arising under the laws of Congress.* This needs no construction. Here is a law, then, which is declared to be supreme; and here is a power established, which is to interpret that law. Now, Sir, how has the gentleman met this? Suppose the Constitution to be a compact, yet here are its terms; and how does the gentleman get rid of them? He cannot argue the *seal off the bond,* nor the words out of the

instrument. Here they are; what answer does he give to them? None in the world, Sir, except, that the effect of this would be to place the States in a condition of inferiority; and that it results from the very nature of things, there being no superior, that the parties must be their own judges! Thus closely and cogently does the honorable gentleman reason on the words of the Constitution. The gentleman says, if there be such a power of final decision in the general government, he asks for the grant of that power. Well, Sir, I show him the grant. I turn him to the very words. I show him that the laws of Congress are made supreme; and that the judicial power extends, by express words, to the interpretation of these laws. Instead of answering this, he retreats into the general reflection, that it must result *from the nature of things*, that the States, being parties, must judge for themselves.

But, Sir, the gentleman has failed to maintain his leading proposition. He has not shown, it cannot be shown, that the Constitution is a compact between State governments. The Constitution itself, in its very front, refutes that idea; it declares that it is ordained and established *by the people of the United States*. So far from saying that it is established by the governments of the several States, it does not even say that it is established by the people *of the several States;* but it pronounces that it is established by the people of the United States, in the aggregate. The gentleman says, it must mean no more than the people of the several States. Doubtless, the people of the several States, taken collectively, constitute the people of the United States; but it is in this, their collective capacity, it is as all the people of the United States, that they establish the Constitution. So they declare; and words cannot be plainer than the words used.

When the gentleman says the Constitution is a compact between the States, he uses language exactly applicable to the old Confederation. He speaks as if he were in Congress before 1789. He describes fully that old state of things then existing. The Confederation was, in strictness, a compact; the States, as States, were parties to it. We

had no other general government. But that was found insufficient, and inadequate to the public exigencies. The people were not satisfied with it, and undertook to establish a better. They undertook to form a general government, which should stand on a new basis; not a confederacy, not a league, not a compact between States, but a *Constitution;* a popular government, founded in popular election, directly responsible to the people themselves, and divided into branches with prescribed limits of power, and prescribed duties. They ordained such a government, they gave it the name of a *Constitution*, and therein they established a distribution of powers between this, their general government, and their several State governments. When they shall become dissatisfied with this distribution, they can alter it. Their own power over their own instrument remains. But until they shall alter it, it must stand as their will, and is equally binding on the general government and on the States.

The gentleman, Sir, finds analogy where I see none. He likens it to the case of a treaty, in which, there being no common superior, each party must interpret for itself, under its own obligation of good faith. But this is not a treaty, but a constitution of government, with powers to execute itself, and fulfil its duties.

I admit, Sir, that this government is a government of checks and balances; that is, the House of Representatives is a check on the Senate, and the Senate is a check on the House, and the President a check on both. But I cannot comprehend him, or, if I do, I totally differ from him, when he applies the notion of checks and balances to the interference of different governments. He argues, that, if we transgress our constitutional limits, each State, as a State, has a right to check us. Does he admit the converse of the proposition, that we have a right to check the States? The gentleman's doctrines would give us a strange jumble of authorities and powers, instead of governments of separate and defined powers. It is the part of wisdom, I think, to avoid this; and to keep the general government and the State government each in its proper sphere, avoiding as carefully as possible every kind of interference.

Finally, Sir, the honorable gentleman says that the States will only interfere, by their power to preserve the Constitution. They will not destroy it, they will not impair it; they will only save, they will only preserve, they will only strengthen it! Ah! Sir, this is but the old story. All regulated governments, all free governments, have been broken by similar disinterested and well-disposed interference. It is the common pretence. But I take leave of the subject.

PUBLIC DINNER AT NEW YORK.

Speech delivered at the City Hotel, in New York, on the 10th day of March, 1831.

Chancellor Kent presided, and proposed the health of their guest, which was received with cheering and acclamation.

Mr. Webster rose and addressed the company: —

I OWE the honor of this occasion, Gentlemen, to your patriotic and affectionate attachment to the Constitution of our country. For an effort, well intended, however otherwise of unpretending character, made in the discharge of public duty, and designed to maintain the Constitution and vindicate its just powers, you have been pleased to tender me this token of your respect. It would be idle affectation to deny that it gives me singular gratification. Every public man must naturally desire the approbation of his fellow-citizens; and though it may be supposed that I should be anxious, in the first place, not to disappoint the expectations of those whose immediate representative I am, it is not possible but that I should feel, nevertheless, the high value of such a mark of esteem as is here offered. But, Gentlemen, I am conscious that the main purpose of this occasion is higher than mere manifestation of personal regard. It is to evince your devotion to the Constitution, your sense of its transcendent value, and your just alarm at whatever threatens to weaken its proper authority, or endanger its existence.

Gentlemen, this could hardly be otherwise. It would be strange, indeed, if the members of this vast commercial

community should not be first and foremost to rally for the Constitution, whenever opinions and doctrines are advanced hostile to its principles. Where sooner than here, where louder than here, may we expect a patriotic voice to be raised, when the union of the States is threatened? In this great emporium, at this central point of the united commerce of the United States, of all places, we may expect the warmest, the most determined and universal feeling of attachment to the national government. Gentlemen, no one can estimate more highly than I do the natural advantages of your city. No one entertains a higher opinion than myself, also, of that spirit of wise and liberal policy, which has actuated the government of your own great State in the accomplishment of high objects, important to the growth and prosperity both of the State and the city. But all these local advantages, and all this enlightened state policy, could never have made your city what it now is, without the aid and protection of a general government, extending over all the States, and establishing for all a common and uniform system of commercial regulation. Without national character, without public credit, without systematic finance, without uniformity of commercial laws, all other advantages possessed by this city would have decayed and perished, like unripe fruit. A general government was, for years before it was instituted, the great object of desire to the inhabitants of this city. New York, at a very early day, was conscious of her local advantages for commerce; she saw her destiny, and was eager to embrace it; but nothing else than a general government could make free her path before her, and set her forward on her brilliant career. She early saw all this, and to the accomplishment of this great and indispensable object she bent every faculty, and exerted every effort. She was not mistaken. She formed no false judgment. At the moment of the adoption of the Constitution, New York was the capital of one State, and contained thirty-two or three thousand people. It now contains more than two hundred thousand people, and is justly regarded as the commercial capital, not only of all the United States, but of the whole continent also, from the pole to the South Sea. Every page of her history, for the last

forty years, bears high and irresistible testimony to the benefits and blessings of the general government. Her astonishing growth is referred to, and quoted, all the world over, as one of the most striking proofs of the effects of our Federal Union. To suppose her now to be easy and indifferent, when notions are advanced tending to its dissolution, would be to suppose her equally forgetful of the past and blind to the present, alike ignorant of her own history and her own interest, metamorphosed, from all that she has been, into a being tired of its prosperity, sick of its own growth and greatness, and infatuated for its own destruction. Every blow aimed at the union of the States strikes on the tenderest nerve of her interest and her happiness. To bring the Union into debate is to bring her own future prosperity into debate also. To speak of arresting the laws of the Union, of interposing State power in matters of commerce and revenue, of weakening the full and just authority of the general government, would be, in regard to this city, but another mode of speaking of commercial ruin, of abandoned wharves, of vacated houses, of diminished and dispersing population, of bankrupt merchants, of mechanics without employment, and laborers without bread. The growth of this city and the Constitution of the United States are coevals and contemporaries. They began together, they have flourished together, and if rashness and folly destroy one, the other will follow it to the tomb.

Gentlemen, it is true, indeed, that the growth of this city is extraordinary, and almost unexampled. It is now, I believe, sixteen or seventeen years since I first saw it. Within that comparatively short period, it has added to its number three times the whole amount of its population when the Constitution was adopted. Of all things having power to check this prosperity, of all things potent to blight and blast it, of all things capable of compelling this city to recede as fast as she has advanced, a disturbed government, an enfeebled public authority, a broken or a weakened union of the States, would be most efficacious. This would be cause efficient enough. Every thing else, in the common fortune of communities, she may hope to resist or to prevent; but this would be fatal as the arrow of death.

Gentlemen, you have personal recollections and associations, connected with the establishment and adoption of the Constitution, which are necessarily called up on an occasion like this. It is impossible to forget the prominent agency exercised by eminent citizens of your own, in regard to that great measure. Those great men are now recorded among the illustrious dead; but they have left names never to be forgotten, and never to be remembered without respect and veneration. Least of all can they be forgotten by you, when assembled here for the purpose of signifying your attachment to the Constitution, and your sense of its inestimable importance to the happiness of the people.

I should do violence to my own feelings, Gentlemen, I think I should offend yours, if I omitted respectful mention of distinguished names yet fresh in your recollections. How can I stand here to speak of the Constitution of the United States, of the wisdom of its provisions, of the difficulties attending its adoption, of the evils from which it rescued the country, and of the prosperity and power to which it has raised it, and yet pay no tribute to those who were highly instrumental in accomplishing the work? While we are here to rejoice that it yet stands firm and strong, while we congratulate one another that we live under its benign influence, and cherish hopes of its long duration, we cannot forget who they were that, in the day of our national infancy, in the times of despondency and despair, mainly assisted to work out our deliverance. I should feel that I was unfaithful to the strong recollections which the occasion presses upon us, that I was not true to gratitude, not true to patriotism, not true to the living or the dead, not true to your feelings or my own, if I should forbear to make mention of ALEXANDER HAMILTON.

Coming from the military service of the country yet a youth, but with knowledge and maturity, even in civil affairs, far beyond his years, he made this city the place of his adoption; and he gave the whole powers of his mind to the contemplation of the weak and distracted condition of the country. Daily increasing in acquaintance and confidence with the people of New York, he saw, what they also saw, the absolute necessity of some closer bond of union for the

States. This was the great object of desire. He never appears to have lost sight of it, but was found in the lead whenever any thing was to be attempted for its accomplishment. One experiment after another, as is well known, was tried, and all failed. The States were urgently called on to confer such further powers on the old Congress as would enable it to redeem the public faith, or to adopt, themselves, some general and common principle of commercial regulation. But the States had not agreed, and were not likely to agree. In this posture of affairs, so full of difficulty and public distress, commissioners from five or six of the States met, on the request of Virginia, at Annapolis, in September, 1786. The precise object of their appointment was to take into consideration the trade of the United States; to examine the relative situations and trade of the several States; and to consider how far a uniform system of commercial regulations was necessary to their common interest and permanent harmony. Mr. Hamilton was one of these commissioners; and I have understood, though I cannot assert the fact, that their report was drawn by him. His associate from this State was the venerable Judge Benson, who has lived long, and still lives, to see the happy results of the counsels which originated in this meeting. Of its members, he and Mr. Madison are, I believe, now the only survivors. These commissioners recommended, what took place the next year, a general Convention of all the States, to take into serious deliberation the condition of the country, and devise such provisions as should render the constitution of the federal government adequate to the exigencies of the Union. I need not remind you that of this Convention Mr. Hamilton was an active and efficient member. The Constitution was framed, and submitted to the country. And then another great work was to be undertaken. The Constitution would naturally find, and did find, enemies and opposers. Objections to it were numerous, and powerful, and spirited. They were to be answered; and they were effectually answered. The writers of the numbers of the Federalist, Mr. Hamilton, Mr. Madison, and Mr. Jay, so greatly distinguished themselves in their dis-

cussions of the Constitution, that those numbers are generally received as important commentaries on the text, and accurate expositions, in general, of its objects and purposes. Those papers were all written and published in this city. Mr. Hamilton was elected one of the distinguished delegation from the city to the State Convention at Poughkeepsie, called to ratify the new Constitution. Its debates are published. Mr. Hamilton appears to have exerted, on this occasion, to the utmost, every power and faculty of his mind.

The whole question was likely to depend on the decision of New York. He felt the full importance of the crisis; and the reports of his speeches, imperfect as they probably are, are yet lasting monuments to his genius and patriotism. He saw at last his hopes fulfilled; he saw the Constitution adopted, and the government under it established and organized. The discerning eye of Washington immediately called him to that post, which was far the most important in the administration of the new system. He was made Secretary of the Treasury; and how he fulfilled the duties of such a place, at such a time, the whole country perceived with delight and the whole world saw with admiration. He smote the rock of the national resources, and abundant streams of revenue gushed forth. He touched the dead corpse of the Public Credit, and it sprung upon its feet. The fabled birth of Minerva, from the brain of Jove, was hardly more sudden or more perfect than the financial system of the United States, as it burst forth from the conceptions of ALEXANDER HAMILTON.

Your recollections, Gentlemen, your respect, and your affections, all conspire to bring before you, at such a time as this, another great man, now too numbered with the dead. I mean the pure, the disinterested, the patriotic JOHN JAY. His character is a brilliant jewel in the sacred treasures of national reputation. Leaving his profession at an early period, yet not before he had singularly distinguished himself in it, his whole life, from the commencement of the Revolution until his final retirement, was a life of public service. A member of the first Congress, he was the author of that political paper which is generally acknowledged to

stand first among the incomparable productions of that body;* productions which called forth that decisive strain of commendation from the great Lord Chatham, in which he pronounced them not inferior to the finest productions of the master states of the world. Mr. Jay had been abroad, and he had also been long intrusted with the difficult duties of our foreign correspondence at home. He had seen and felt, in the fullest measure and to the greatest possible extent, the difficulty of conducting our foreign affairs honorably and usefully, without a stronger and more perfect domestic union. Though not a member of the Convention which framed the Constitution, he was yet present while it was in session, and looked anxiously for its result. By the choice of this city, he had a seat in the State Convention, and took an active and zealous part for the adoption of the Constitution. On the organization of the new government, he was selected by Washington to be the first Chief Justice of the Supreme Court of the United States; and surely the high and most responsible duties of that station could not have been trusted to abler or safer hands. It is the duty of that tribunal, one of equal importance and delicacy, to decide constitutional questions, occasionally arising on State laws. The general learning and ability, and especially the prudence, the mildness, und the firmness of his character, eminently fitted Mr. Jay to be the head of such a court. When the spotless ermine of the judicial robe fell on John Jay, it touched nothing less spotless than itself.

These eminent men, Gentlemen, the contemporaries of some of you, known to most, and revered by all, were so conspicuous in the framing and adopting of the Constitution, and called so early to important stations under it, that a tribute, better, indeed, than I have given, or am able to give, seemed due to them from us, on this occasion.

There was yet another, of whom mention is to be made. In the Revolutionary history of the country, the name of Chancellor Livingston became early prominent. He was a member of that Congress which declared Independence; and a member, too, of the committee which drew and report-

* Address to the People of Great Britain.

ed the immortal Declaration. At the period of the adoption of the Constitution, he was its firm friend and able advocate. He was a member of the State Convention, being one of that list of distinguished and gifted men who represented this city in that body; and he threw the whole weight of his talents and influence into the doubtful scale of the Constitution.

Gentlemen, as connected with the Constitution, you have also local recollections which must bind it still closer to your attachment and affection. It commenced its being and its blessings here. It was in this city, in the midst of friends, anxious, hopeful, and devoted, that the new government started in its course. To us, Gentlemen, who are younger, it has come down by tradition; but some around me are old enough to have witnessed, and did witness, the interesting scene of the first inauguration. They remember what voices of gratified patriotism, what shouts of enthusiastic hope, what acclamations rent the air, how many eyes were suffused with tears of joy, how cordially each man pressed the hand of him who was next to him, when, standing in the open air in the centre of the city, in the view of assembled thousands, the first President of the United States was heard solemnly to pronounce the words of his official oath, repeating them from the lips of Chancellor Livingston. You then thought, Gentlemen, that the great work of the Revolution was accomplished. You then felt that you had a government; that the United States were then, indeed, united. Every benignant star seemed to shed its selectest influence on that auspicious hour. Here were heroes of the Revolution; here were sages of the Convention; here were minds, disciplined and schooled in all the various fortunes of the country, acting now in several relations, but all coöperating to the same great end, the successful administration of the new and untried Constitution. And he, — how shall I speak of him? — he was at the head, who was already first in war, who was already first in the hearts of his countrymen, and who was now shown also, by the unanimous suffrage of the country, to be first in peace.

Gentlemen, how gloriously have the hopes then indulged been fulfilled! Whose expectation was then so sanguine,

I may almost ask, whose imagination then so extravagant, as to run forward, and contemplate as probable, the one half of what has been accomplished in forty years? Who among you can go back to 1789, and see what this city, and this country, too, then were; and, beholding what they now are, can be ready to consent that the Constitution of the United States shall be weakened — dishonored — *nullified?*

The legislative history of the first two or three years of the government is full of instruction. It presents, in striking light, the evils intended to be remedied by the Constitution, and the provisions which were deemed essential to the remedy of those evils. It exhibits the country, in the moment of its change from a weak and ill-defined confederacy of States, into a general, efficient, but still restrained and limited government. It shows the first working of our peculiar system, moved, as it then was, by master hands.

Gentlemen, for one, I confess I like to dwell on this part of our history. It is good for us to be here. It is good for us to study the situation of the country at this period, to survey its difficulties, to look at the conduct of its public men, to see how they struggled with obstacles, real and formidable, and how gloriously they brought the Union out of its state of depression and distress. Truly, Gentlemen, these founders and fathers of the Constitution were great men, and thoroughly furnished for every good work. All that reading and learning could do; all that talent and intelligence could do; and, what perhaps is still more, all that long experience in difficult and troubled times and a deep and intimate practical knowledge of the condition of the country could do, — conspired to fit them for the great business of forming a general, but limited government, embracing common objects, extending over all the States, and yet touching the power of the States no further than those common objects require. I confess I love to linger around these original fountains, and to drink deep of their waters. I love to imbibe, in as full measure as I may, the spirit of those who laid the foundations of the government, and so wisely and skilfully balanced and adjusted its bearings and proportions.

Gentlemen, what I have said of the benefits of the Constitution to your city might be said, with little change, in respect to every other part of the country. Its benefits are not exclusive. What has it left undone, which any government could do, for the whole country? In what condition has it placed us? Where do we now stand? Are we elevated, or degraded, by its operation? What is our condition under its influence, at the very moment when some talk of arresting its power and breaking its unity? Do we not feel ourselves on an eminence? Do we not challenge the respect of the whole world? What has placed us thus high? What has given us this just pride? What else is it, but the unrestrained and free operation of that same Federal Constitution, which it has been proposed now to hamper, and manacle, and nullify? Who is there among us, that, should he find himself on any spot of the earth where human beings exist, and where the existence of other nations is known, would not be proud to say, I am an American? I am a countryman of Washington? I am a citizen of that republic, which, although it has suddenly sprung up, yet there are none on the globe who have ears to hear, and have not heard of it; who have eyes to see, and have not read of it; who know any thing, and yet do not know of its existence and its glory? And, Gentlemen, let me now reverse the picture. Let me ask, who there is among us, if he were to be found to-morrow in one of the civilized countries of Europe, and were there to learn that this goodly form of government had been overthrown, that the United States were no longer united, that a death blow had been struck upon their bond of union, that they themselves had destroyed their chief good and their chief honor, — who is there whose heart would not sink within him? Who is there who would not cover his face for very shame?

At this very moment, Gentlemen, our country is a general refuge for the distressed and the persecuted of other nations. Whoever is in affliction from political occurrences in his own country looks here for shelter. Whether he be republican, flying from the oppression of thrones, or whether he be monarch or monarchist, flying from thrones that crumble

and fall under or around him, he feels equal assurance, that, if he get foothold on our soil, his person will be safe, and his rights will be respected.

And who will venture to say, that, in any government now existing in the world, there is greater security for persons or property than in that of the United States? We have tried these popular institutions in times of great excitement and commotion, and they have stood, substantially, firm and steady, while the fountains of the great political deep have been elsewhere broken up; while thrones, resting on ages of prescription, have tottered and fallen; and while, in other countries, the earthquake of unrestrained popular commotion has swallowed up all law, and all liberty, and all right together. Our government has been tried in peace, and it has been tried in war, and has proved itself fit for both. It has been assailed from without, and it has successfully resisted the shock; it has been disturbed within, and it has effectually quieted the disturbance. It can stand trial, it can stand assault, it can stand adversity, it can stand every thing, but the marring of its own beauty, and the weakening of its own strength. It can stand every thing but the effects of our own rashness and our own folly. It can stand every thing but disorganization, disunion, and nullification.

It is a striking fact, and as true as it is striking, that at this very moment, among all the principal civilized states of the world, *that* government is most secure against the danger of popular commotion which is itself entirely popular. It seems, indeed, that the submission of every thing to the public will, under constitutional restraints, imposed by the people themselves, furnishes itself security that they will desire nothing wrong.

Certain it is, that popular, constitutional liberty, as we enjoy it, appears, in the present state of the world, as sure and stable a basis for government to rest upon, as any government of enlightened states can find, or does find. Certain it is, that, in these times of so much popular knowledge, and so much popular activity, those governments which do not admit the people to partake in their administration, but keep them under and beneath, sit on materials for an

explosion, which may take place at any moment, and blow them into a thousand atoms.

Gentlemen, let any man, who would degrade and enfeeble the national Constitution, let any man who would nullify its laws, stand forth and tell us what he would wish. What does he propose? Whatever he may be, and whatever substitute he may hold forth, I am sure the people of this country will decline his kind interference, and hold on by the Constitution which they possess. Any one who would willingly destroy it, I rejoice to know, would be looked upon with abhorrence. It is deeply intrenched in the regards of the people. Doubtless it may be undermined by artful and long-continued hostility; it may be imperceptibly weakened by secret attack; it may be insidiously shorn of its powers by slow degrees; the public vigilance may be lulled, and when it awakes, it may find the Constitution frittered away. In these modes, or some of them, it is possible that the union of the States may be dissolved.

But if the general attention of the people be kept alive, if they see the intended mischief before it is effected, they will prevent it by their own sovereign power. They will interpose themselves between the meditated blow and the object of their regard and attachment. Next to the controlling authority of the people themselves, the preservation of the government is mainly committed to those who administer it. If conducted in wisdom, it cannot but stand strong. Its genuine, original spirit is a patriotic, liberal, and generous spirit; a spirit of conciliation, of moderation, of candor, and charity; a spirit of friendship, and not a spirit of hostility toward the States; a spirit careful not to exceed, and equally careful not to relinquish, its just powers. While no interest can or ought to feel itself shut out from the benefits of the Constitution, none should consider those benefits as exclusively its own. The interests of all must be consulted, and reconciled, and provided for, as far as possible, that all may perceive the benefits of a united government.

Among other things, we are to remember that new States have arisen, possessing already an immense population, spreading and thickening over vast regions which were a wilder-

ness when the Constitution was adopted. Those States are not, like New York, directly connected with maritime commerce. They are entirely agricultural, and need markets for consumption; and they need, too, access to those markets. It is the duty of the government to bring the interests of these new States into the Union, and incorporate them closely in the family compact. Gentlemen, it is not impracticable to reconcile these various interests, and so to administer the government as to make it useful to all. It was never easier to administer the government than it is now. We are beset with none, or with few, of its original difficulties; and it is a time of great general prosperity and happiness. Shall we admit ourselves incompetent to carry on the government, so as to be satisfactory to the whole country? Shall we admit that there has so little descended to us of the wisdom and prudence of our fathers? If the government could be administered in Washington's time, when it was yet new, when the country was heavily in debt, when foreign relations were in a threatening condition, and when Indian wars pressed on the frontiers, can it not be administered now? Let us not acknowledge ourselves so unequal to our duties.

Gentlemen, on the occasion referred to by the chair, it became necessary to consider the judicial power, and its proper functions under the Constitution. In every free and balanced government, this is a most essential and important power. Indeed, I think it is a remark of Mr. Hume, that the administration of justice seems to be the leading object of institutions of government; that legislatures assemble, that armies are embodied, that both war and peace are made, with a sort of ultimate reference to the proper administration of laws, and the judicial protection of private rights. The judicial power comes home to every man. If the legislature passes incorrect or unjust general laws, its members bear the evil as well as others. But judicature acts on individuals. It touches every private right, every private interest, and almost every private feeling. What we possess is hardly fit to be called our own, unless we feel secure in its possession; and this security, this feeling of perfect

safety, cannot exist under a wicked, or even under a weak and ignorant, administration of the laws. There is no happiness, there is no liberty, there is no enjoyment of life, unless a man can say when he rises in the morning, I shall be subject to the decision of no unjust judge to-day.

But, Gentlemen, the judicial department, under the Constitution of the United States, possesses still higher duties. It is true, that it may be called on, and is occasionally called on, to decide questions which are, in one sense, of a political nature. The general and State governments, both established by the people, are established for different purposes, and with different powers. Between those powers questions may arise; and who shall decide them? Some provision for this end is absolutely necessary. What shall it be? This was the question before the Convention; and various schemes were suggested. It was foreseen that the States might inadvertently pass laws inconsistent with the Constitution of the United States, or with acts of Congress. At least, laws might be passed which would be charged with such inconsistency. How should these questions be disposed of? Where shall the power of judging, in cases of alleged interference, be lodged? One suggestion in the Convention was, to make it an executive power, and to lodge it in the hands of the President, by requiring all State laws to be submitted to him, that he might negative such as he thought appeared repugnant to the general Constitution. This idea, perhaps, may have been borrowed from the power exercised by the crown over the laws of the Colonies. It would evidently have been, not only an inconvenient and troublesome proceeding, but dangerous also to the powers of the States. It was not pressed. It was thought wiser and safer, on the whole, to require State legislatures and State judges to take an oath to support the Constitution of the United States, and then leave the States at liberty to pass whatever laws they pleased, and if interference, in point of fact, should arise, to refer the question to judicial decision. To this end, the judicial power, under the Constitution of the United States, was made coextensive with the legislative power. It was extended to all cases arising under the Con-

stitution and the laws of Congress. The judiciary became thus possessed of the authority of deciding, in the last resort, in all cases of alleged interference, between State laws and the Constitution and laws of Congress.

Gentlemen, this is the actual Constitution, this is the law of the land. There may be those who think it unnecessary, or who would prefer a different mode of deciding such questions. But this is the established mode, and, till it be altered, the courts can no more decline their duty on these occasions than on other occasions. But can any reasonable man doubt the expediency of this provision, or suggest a better? Is it not absolutely essential to the peace of the country that this power should exist somewhere? Where can it exist, better than where it now does exist? The national judiciary is the common tribunal of the whole country. It is organized by the common authority, and its places filled by the common agent. This is a plain and practical provision. It was framed by no bunglers, nor by any wild theorists. And who can say that it has failed? Who can find substantial fault with its operation or its results? The great question is, whether we shall provide for the peaceable decision of cases of collision. Shall they be decided by law, or by force? Shall the decisions be decisions of peace, or decisions of war?

Gentlemen, our country stands, at the present time, on commanding ground. Older nations, with different systems of government, may be somewhat slow to acknowledge all that justly belongs to us. But we may feel, without vanity, that America is doing her part in the great work of improving human affairs. There are two principles, Gentlemen, strictly and purely American, which are now likely to prevail throughout the civilized world. Indeed, they seem the necessary result of the progress of civilization and knowledge. These are, first, popular governments, restrained by written constitutions; and, secondly, universal education. Popular governments and general education, acting and reacting, mutually producing and reproducing each other, are the mighty agencies which in our days appear to be exciting, stimulating, and changing civilized

societies. Man, every where, is now found demanding a participation in government — and he will not be refused; and he demands knowledge as necessary to self-government. On the basis of these two principles, liberty and knowledge, our own American systems rest. Thus far we have not been disappointed in their results. Our existing institutions, raised on these foundations, have conferred on us almost unmixed happiness. Do we hope to better our condition by change? When we shall have nullified the present Constitution, what are we to receive in its place? As fathers, do we wish for our children better government, or better laws? As members of society, as lovers of our country, is there any thing we can desire for it better than that, as ages and centuries roll over it, it may possess the same invaluable institutions which it now enjoys? For my part, Gentlemen, I can only say, that I desire to thank the beneficent Author of all good for being born *where* I was born, and *when* I was born; that the portion of human existence alloted to me has been meted out to me in this goodly land, and at this interesting period. I rejoice that I have lived to see so much development of truth, so much progress of liberty, so much diffusion of virtue and happiness. And, through good report and evil report, it will be my consolation to be a citizen of a republic unequalled in the annals of the world for the freedom of its institutions, its high prosperity, and the prospects of good which yet lie before it. Our course, Gentlemen, is onward, straight onward, and forward. Let us not turn to the right hand, nor to the left. Our path is marked out for us, clear, plain, bright, distinctly defined, like the milky way across the heavens. If we are true to our country, in our day and generation, and those who come after us shall be true to it also, assuredly, assuredly, we shall elevate her to a pitch of prosperity and happiness, of honor and power, never yet reached by any nation beneath the sun.

THE CHARACTER OF WASHINGTON.

Speech delivered at a Public Dinner in honor of the Centennial Birthday of Washington, on the 22d of February, 1832.

On the 22d of February, 1832, being the centennial birthday of George Washington, a number of gentlemen, members of Congress and others, from different parts of the Union, united in commemorating the occasion by a public dinner in the city of Washington.

At the request of the Committee of Arrangements, Mr. Webster, then a Senator from Massachusetts, occupied the chair. After the cloth was removed, he addressed the company.

I rise, Gentlemen, to propose to you the name of that great man, in commemoration of whose birth, and in honor of whose character and services, we are here assembled.

I am sure that I express a sentiment common to every one present, when I say that there is something more than ordinarily solemn and affecting in this occasion.

We are met to testify our regard for him whose name is intimately blended with whatever belongs most essentially to the prosperity, the liberty, the free institutions, and the renown of our country. That name was of power to rally a nation, in the hour of thick-thronging public disasters and calamities; that name shone, amid the storm of war, a beacon light, to cheer and guide the country's friends; it flamed, too, like a meteor, to repel her foes. That name, in the days of peace, was a loadstone, attracting to itself a whole people's confidence, a whole people's love, and the whole world's respect. That name, descending with all time, spreading over the whole earth, and uttered in all the languages belonging to the tribes and races of men, will for ever be pronounced with affectionate gratitude by every one in whose breast there shall arise an aspiration for human rights and human liberty.

We perform this grateful duty, Gentlemen, at the expiration of a hundred years from his birth, near the place, so cherished and beloved by him, where his dust now reposes, and in the capital which bears his own immortal name.

All experience evinces that human sentiments are strongly influenced by associations. The recurrence of anniversa-

ries, or of longer periods of time, naturally freshens the recollection, and deepens the impression, of events with which they are historically connected. Renowned places, also, have a power to awaken feeling, which all acknowledge. No American can pass by the fields of Bunker Hill, Monmouth, and Camden, as if they were ordinary spots on the earth's surface. Whoever visits them feels the sentiment of love of country kindling anew, as if the spirit that belonged to the transactions which have rendered these places distinguished still hovered round, with power to move and excite all who in future time may approach them.

But neither of these sources of emotion equals the power with which great moral examples affect the mind. When sublime virtues cease to be abstractions, when they become embodied in human character, and exemplified in human conduct, we should be false to our own nature, if we did not indulge in the spontaneous effusions of our gratitude and our admiration. A true lover of the virtue of patriotism delights to contemplate its purest models; and that love of country may be well suspected which affects to soar so high into the regions of sentiment as to be lost and absorbed in the abstract feeling, and becomes too elevated or too refined to glow with fervor in the commendation or the love of individual benefactors. All this is unnatural. It is as if one should be so enthusiastic a lover of poetry as to care nothing for Homer or Milton; so passionately attached to eloquence as to be indifferent to Tully and Chatham; or such a devotee to the arts, in such an ecstasy with the elements of beauty, proportion, and expression, as to regard the masterpieces of Raphael and Michael Angelo with coldness or contempt. We may be assured, Gentlemen, that he who really loves the thing itself, loves its finest exhibitions. A true friend of his country loves her friends and benefactors, and thinks it no degradation to commend and commemorate them. The voluntary outpouring of the public feeling, made to-day, from the North to the South, and from the East to the West, proves this sentiment to be both just and natural. In the cities and in the villages, in the public temples and in the family circles, among all ages and sexes, gladdened voices

to-day bespeak grateful hearts and a freshened recollection of the virtues of the Father of his Country. And it will be so, in all time to come, so long as public virtue is itself an object of regard. The ingenuous youth of America will hold up to themselves the bright model of Washington's example, and study to be what they behold; they will contemplate his character till all its virtues spread out and display themselves to their delighted vision; as the earliest astronomers, the shepherds on the plains of Babylon, gazed at the stars till they saw them form into clusters and constellations, overpowering at length the eyes of the beholders with the united blaze of a thousand lights.

Gentlemen, we are at the point of a century from the birth of Washington; and what a century it has been! During its course, the human mind has seemed to proceed with a sort of geometric velocity, accomplishing, for human intelligence and human freedom, more than had been done in fives or tens of centuries preceding. Washington stands at the commencement of a new era, as well as at the head of the New World. A century from the birth of Washington has changed the world. The country of Washington has been the theatre on which a great part of that change has been wrought; and Washington himself a principal agent by which it has been accomplished. His age and his country are equally full of wonders; and of both he is the chief.

If the poetical prediction, uttered a few years before his birth, be true; if indeed it be designed by Providence that the grandest exhibition of human character and human affairs shall be made on this theatre of the Western world; if it be true that,

> "The four first acts already past,
> A fifth shall close the drama of the day;
> Time's noblest offspring is the last;"

how could this imposing, swelling, final scene be appropriately opened, how could its intense interest be adequately sustained, but by the introduction of just such a character as our Washington?

Washington had attained his manhood when that spark of liberty was struck out in his own country, which has since kindled into a flame, and shot its beams over the earth. In the flow of a century from his birth, the world has changed in science, in arts, in the extent of commerce, in the improvement of navigation, and in all that relates to the civilization of man. But it is the spirit of human freedom, the new elevation of individual man, in his moral, social, and political character, leading the whole long train of other improvements, which has most remarkably distinguished the era. Society, in this century, has not made its progress, like Chinese skill, by a greater acuteness of ingenuity in trifles; it has not merely lashed itself to an increased speed round the old circles of thought and action; but it has assumed a new character; it has raised itself from *beneath* governments to a participation *in* governments; it has mixed moral and political objects with the daily pursuits of individual men; and, with a freedom and strength before altogether unknown, it has applied to these objects the whole power of the human understanding. It has been the era, in short, when the social principle has triumphed over the feudal principle; when society has maintained its rights against military power, and established, on foundations never hereafter to be shaken, its competency to govern itself.

It was the extraordinary fortune of Washington, that, having been intrusted, in revolutionary times, with the supreme military command, and having fulfilled that trust with equal renown for wisdom and for valor, he should be placed at the head of the first government in which an attempt was to be made on a large scale to rear the fabric of social order on the basis of a written constitution and of a pure representative principle. A government was to be established, without a throne, without an aristocracy, without castes, orders, or privileges; and this government, instead of being a democracy, existing and acting within the walls of a single city, was to be extended over a vast country, of different climates, interests, and habits, and of various communions of our common Christian faith. The experiment certainly was entirely new. A popular government of this extent, it was

evident, could be framed only by carrying into full effect the principle of representation or of delegated power; and the world was to see whether society could, by the strength of this principle, maintain its own peace and good government, carry forward its own great interests, and conduct itself to political renown and glory. By the benignity of Providence, this experiment, so full of interest to us and to our posterity for ever, so full of interest, indeed, to the world in its present generation and in all its generations to come, was suffered to commence under the guidance of Washington. Destined for this high career, he was fitted for it by wisdom, by virtue, by patriotism, by discretion, by whatever can inspire confidence in man toward man. In entering on the untried scenes, early disappointment and the premature extinction of all hope of success would have been certain, had it not been that there did exist throughout the country, in a most extraordinary degree, an unwavering trust in him who stood at the helm.

I remarked, Gentlemen, that the whole world was and is interested in the result of this experiment. And is it not so? Do we deceive ourselves, or is it true that at this moment the career which this government is running is among the most attractive objects to the civilized world? Do we deceive ourselves, or is it true that at this moment that love of liberty and that understanding of its true principles which are flying over the whole earth, as on the wings of all the winds, are really and truly of American origin?

The principles of Washington's administration are not left doubtful. They are to be found in the Constitution itself, in the great measures recommended and approved by him, in his speeches to Congress, and in that most interesting paper, his Farewell Address to the People of the United States. The success of the government under his administration is the highest proof of the soundness of these principles. And, after an experience of thirty-five years, what is there which an enemy could condemn? What is there which either his friends, or the friends of the country, could wish to have been otherwise? I speak, of course, of great measures and leading principles.

His principle it was to act right, and to trust the people for support; his principle it was not to follow the lead of sinister and selfish ends, nor to rely on the little arts of party delusion to obtain public sanction for such a course. Born for his country and for the world, he did not give up to party what was meant for mankind. The consequence is, that his fame is as durable as his principles, as lasting as truth and virtue themselves. While the hundreds whom party excitement, and temporary circumstances, and casual combinations, have raised into transient notoriety, sink again, like thin bubbles, bursting and dissolving into the great ocean, Washington's fame is like the rock which bounds that ocean, and at whose feet its billows are destined to break harmlessly for ever.

The maxims upon which Washington conducted our foreign relations were few and simple. The first was an entire and indisputable impartiality towards foreign states. He adhered to this rule of public conduct, against very strong inducements to depart from it, and when the popularity of the moment seemed to favor such a departure. In the next place, he maintained true dignity and unsullied honor in all communications with foreign states. It was among the high duties devolved upon him, to introduce our new government into the circle of civilized states and powerful nations. Not arrogant or assuming, with no unbecoming or supercilious bearing, he yet exacted for it from all others entire and punctilious respect. He demanded, and he obtained at once, a standing of perfect equality for his country in the society of nations; nor was there a prince or potentate of his day, whose personal character carried with it, into the intercourse of other states, a greater degree of respect and veneration.

He regarded other nations only as they stood in political relations to us. With their internal affairs, their political parties and dissensions, he scrupulously abstained from all interference; and, on the other hand, he repelled with spirit all such interference by others with us or our concerns. His sternest rebuke, the most indignant measure of his whole administration, was aimed against such an attempted

interference. He felt it as an attempt to wound the national honor, and resented it accordingly.

The reiterated admonitions in his Farewell Address show his deep fears that foreign influence would insinuate itself into our counsels through the channels of domestic dissension, and obtain a sympathy with our own temporary parties. Against all such dangers, he most earnestly entreats the country to guard itself. He appeals to its patriotism, to its self-respect, to its own honor, to every consideration connected with its welfare and happiness, to resist, at the very beginning, all tendencies towards such connection of foreign interests with our own affairs. With a tone of earnestness nowhere else found, even in his last affectionate farewell advice to his countrymen, he says, "Against the insidious wiles of foreign influence, (I conjure you to believe me, fellow-citizens,) the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government."

Lastly, on the subject of foreign relations, Washington never forgot that we had interests peculiar to ourselves. The primary political concerns of Europe, he saw, did not affect us. We had nothing to do with her balance of power, her family compacts, or her successions to thrones. We were placed in a condition favorable to neutrality during European wars, and to the enjoyment of all the great advantages of that relation. "Why, then," he asks us, "why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?"

Indeed, Gentlemen, Washington's Farewell Address is full of truths important at all times, and particularly deserving consideration at the present. With a sagacity which brought the future before him, and made it like the present, he saw and pointed out the dangers that even at this moment most imminently threaten us. I hardly know how a greater service of that kind could now be done to the community, than by

a renewed and wide diffusion of that admirable paper, and an earnest invitation to every man in the country to reperuse and consider it. Its political maxims are invaluable; its exhortations to love of country and to brotherly affection among citizens, touching; and the solemnity with which it urges the observance of moral duties, and impresses the power of religious obligation, gives to it the highest character of truly disinterested, sincere, parental advice.

The domestic policy of Washington found its polestar in the avowed objects of the Constitution itself. He sought so to administer that Constitution, as to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty. These were objects interesting, in the highest degree, to the whole country, and his policy embraced the whole country.

Among his earliest and most important duties was the organization of the government itself, the choice of his confidential advisers, and the various appointments to office. This duty, so important and delicate, when a whole government was to be organized, and all its offices for the first time filled, was yet not difficult to him; for he had no sinister ends to accomplish, no clamorous partisans to gratify, no pledges to redeem, no object to be regarded but simply the public good. It was a plain, straightforward matter, a mere honest choice of good men for the public service.

His own singleness of purpose, his disinterested patriotism, were evinced by the selection of his first cabinet, and by the manner in which he filled the seats of justice, and other places of high trust. He sought for men fit for offices; not for offices which might suit men. Above personal considerations, above local considerations, above party considerations, he felt that he could only discharge the sacred trust which the country had placed in his hands, by a diligent inquiry after real merit, and a conscientious preference of virtue and talent. The whole country was the field of his selection. He explored that whole field, looking only for whatever it contained most worthy and distinguished. He was, indeed, most successful, and he deserved success

for the purity of his motives, the liberality of his sentiments, and his enlarged and manly policy.

Washington's administration established the national credit, made provision for the public debt, and for that patriotic army whose interests and welfare were always so dear to him; and, by laws wisely framed, and of admirable effect, raised the commerce and navigation of the country, almost at once, from depression and ruin to a state of prosperity. Nor were his eyes open to these interests alone. He viewed with equal concern its agriculture and manufactures, and, so far as they came within the regular exercise of the powers of this government, they experienced regard and favor.

It should not be omitted, even in this slight reference to the general measures and general principles of the first President, that he saw and felt the full value and importance of the judicial department of the government. An upright and able administration of the laws he held to be alike indispensable to private happiness and public liberty. The temple of justice, in his opinion, was a sacred place, and he would profane and pollute it who should call any to minister in it, not spotless in character, not incorruptible in integrity, not competent by talent and learning, not a fit object of unhesitating trust.

Among other admonitions, Washington has left us, in his communication to his country, an exhortation against the excesses of party spirit. A fire not to be quenched, he yet conjures us not to fan and feed the flame. Undoubtedly, Gentlemen, it is the greatest danger of our system and of our time. Undoubtedly, if that system should be overthrown, it will be the work of excessive party spirit, acting on the government, which is dangerous enough, or acting *in* the government, which is a thousand times more dangerous; for government then becomes nothing but organized party, and, in the strange vicissitudes of human affairs, it may come at last, perhaps, to exhibit the singular paradox of government itself being in opposition to its own powers, at war with the very elements of its own existence. Such cases are hopeless. As men may be protected against murder, but cannot be guarded against suicide, so government may be

shielded from the assaults of external foes, but nothing can save it when it chooses to lay violent hands on itself.

Finally, Gentlemen, there was in the breast of Washington one sentiment so deeply felt, so constantly uppermost, that no proper occasion escaped without its utterance. From the letter which he signed in behalf of the Convention when the Constitution was sent out to the people, to the moment when he put his hand to that last paper in which he addressed his countrymen, the Union — the Union was the great object of his thoughts. In that first letter he tells them that, to him and his brethren of the Convention, union appears to be the greatest interest of every true American; and in that last paper he conjures them to regard that unity of government which constitutes them one people as the very palladium of their prosperity and safety, and the security of liberty itself. He regarded the union of these States less as one of our blessings, than as the great treasure house which contained them all. Here, in his judgment, was the great magazine of all our means of prosperity; here, as he thought, and as every true American still thinks, are deposited all our animating prospects, all our solid hopes for future greatness. He has taught us to maintain this union, not by seeking to enlarge the powers of the government, on the one hand, nor by surrendering them, on the other; but by an administration of them at once firm and moderate, pursuing objects truly national, and carried on in a spirit of justice and equity.

The extreme solicitude for the preservation of the Union, at all times manifested by him, shows not only the opinion he entertained of its importance, but his clear perception of those causes which were likely to spring up to endanger it, and which, if once they should overthrow the present system, would leave little hope of any future beneficial reunion. Of all the presumptions indulged by presumptuous man, that is one of the rashest which looks for repeated and favorable opportunities for the deliberate establishment of a united government over distinct and widely-extended communities. Such a thing has happened once in human affairs, and but once; the event stands out as a prominent exception to all

ordinary history; and unless we suppose ourselves running into an age of miracles, we may not expect its repetition.

Washington, therefore, could regard, and did regard, nothing as of paramount political interest, but the integrity of the Union itself. With a united government, well administered, he saw that we had nothing to fear; and without it, nothing to hope. The sentiment is just, and its momentous truth should solemnly impress the whole country. If we might regard our country as personated in the spirit of Washington, if we might consider him as representing her, in her past renown, her present prosperity, and her future career, and as in that character demanding of us all to account for our conduct, as political men or as private citizens, how should he answer him who has ventured to talk of disunion and dismemberment? Or how should he answer him who dwells perpetually on local interests, and fans every kindling flame of local prejudice? How should he answer him who would array State against State, interest against interest, and party against party, careless of the continuance of that *unity of government which constitutes us one people?*

The political prosperity which this country has attained, and which it now enjoys, has been acquired mainly through the instrumentality of the present government. While this agent continues, the capacity of attaining to still higher degrees of prosperity exists also. We have, while this lasts, a political life capable of beneficial exertion, with power to resist or overcome misfortunes, to sustain us against the ordinary accidents of human affairs, and to promote, by active efforts, every public interest. But dismemberment strikes at the very being which preserves these faculties. It would lay its rude and ruthless hand on this great agent itself. It would sweep away, not only what we possess, but all power of regaining lost, or acquiring new possessions. It would leave the country, not only bereft of its prosperity and happiness, but without limbs, or organs, or faculties, by which to exert itself hereafter in the pursuit of that prosperity and happiness.

Other misfortunes may be borne, or their effects overcome. If disastrous war should sweep our commerce from

the ocean, another generation may renew it; if it exhaust our treasury, future industry may replenish it; if it desolate and lay waste our fields, still, under a new cultivation, they will grow green again, and ripen to future harvests. It were but a trifle even if the walls of yonder Capitol were to crumble, if its lofty pillars should fall, and its gorgeous decorations be all covered by the dust of the valley. All these might be rebuilt. But who shall reconstruct the fabric of demolished government? Who shall rear again the well-proportioned columns of constitutional liberty? Who shall frame together the skilful architecture which unites national sovereignty with State rights, individual security, and public prosperity? No, if these columns fall, they will be raised not again. Like the Coliseum and the Parthenon, they will be destined to a mournful, a melancholy immortality. Bitterer tears, however, will flow over them, than were ever shed over the monuments of Roman or Grecian art; for they will be the remnants of a more glorious edifice than Greece or Rome ever saw, the edifice of constitutional American liberty.

But let us hope for better things. Let us trust in that gracious Being who has hitherto held our country as in the hollow of his hand. Let us trust to the virtue and the intelligence of the people, and to the efficacy of religious obligation. Let us trust to the influence of Washington's example. Let us hope that that fear of Heaven which expels all other fear, and that regard to duty which transcends all other regard, may influence public men and private citizens, and lead our country still onward in her happy career. Full of these gratifying anticipations and hopes, let us look forward to the end of that century which is now commenced. A hundred years hence, other disciples of Washington will celebrate his birth, with no less of sincere admiration than we now commemorate it. When they shall meet, as we now meet, to do themselves and him that honor, so surely as they shall see the blue summits of his native mountains rise in the horizon, so surely as they shall behold the river on whose banks he lived, and on whose banks he rests, still flowing on toward the sea, so surely may they see, as we

now see, the flag of the Union floating on the top of the Capitol; and then, as now, may the sun in his course visit no land more free, more happy, more lovely, than this our own country!

Gentlemen, I propose — "THE MEMORY OF GEORGE WASHINGTON."

THE CONSTITUTION NOT A COMPACT BETWEEN SOVEREIGN STATES.

Speech delivered in the Senate of the United States, on the 16th of February, 1833, in Reply to Mr. Calhoun's Speech, on the Bill "further to provide for the Collection of Duties on Imports."

ON the 21st of January, 1833, Mr. Wilkins, Chairman of the Judiciary Committee of the Senate, introduced the bill further to provide for the collection of duties. On the 22d day of the same month, Mr. Calhoun submitted three resolutions, and on Saturday, the 16th of February, he spoke in opposition to the bill, and in support of his resolutions.

He was followed by Mr. Webster.

MR. PRESIDENT, — The gentleman from South Carolina has admonished us to be mindful of the opinions of those who shall come after us. We must take our chance, Sir, as to the light in which posterity will regard us. I do not decline its judgment, nor withhold myself from its scrutiny. Feeling that I am performing my public duty with singleness of heart and to the best of my ability, I fearlessly trust myself to the country, now and hereafter, and leave both my motives and my character to its decision.

The gentleman has terminated his speech in a tone of threat and defiance towards this bill, even should it become a law of the land, altogether unusual in the halls of Congress. But I shall not suffer myself to be excited into warmth by his denunciation of the measure which I support. Among the feelings which at this moment fill my breast, not the least is that of regret at the position in which the gentleman has placed himself. Sir, he does himself no justice. The cause which he has espoused finds no basis in the Constitution, no succor from public sympathy, no cheering from a patriotic community. He has no foot-

hold on which to stand while he might display the powers of his acknowledged talents. Every thing beneath his feet is hollow and treacherous. He is like a strong man struggling in a morass; every effort to extricate himself only sinks him deeper and deeper. And I fear the resemblance may be carried still further; I fear that no friend can safely come to his relief, that no one can approach near enough to hold out a helping hand, without danger of going down himself, also, into the bottomless depths of this Serbonian bog.

The honorable gentleman has declared, that on the decision of the question now in debate may depend the cause of liberty itself. I am of the same opinion; but then, Sir, the liberty which I think is staked on the contest is not political liberty, in any general and undefined character, but our own well-understood and long-enjoyed *American* liberty.

Sir, I love Liberty no less ardently than the gentleman himself, in whatever form she may have appeared in the progress of human history. As exhibited in the master states of antiquity, as breaking out again from amidst the darkness of the Middle Ages, and beaming on the formation of new communities in modern Europe, she has, always and every where, charms for me. Yet, Sir, it is our own liberty, guarded by constitutions and secured by union, it is that liberty which is our paternal inheritance, it is our established, dear-bought, peculiar American liberty, to which I am chiefly devoted, and the cause of which I now mean, to the utmost of my power, to maintain and defend.

Mr. President, if I considered the constitutional question now before us as doubtful as it is important, and if I supposed that its decision, either in the Senate or by the country, was likely to be in any degree influenced by the manner in which I might now discuss it, this would be to me a moment of deep solicitude. Such a moment has once existed. There has been a time, when, rising in this place, on the same question, I felt, I must confess, that something for good or evil to the Constitution of the country might depend on an effort of mine. But circumstances are changed. Since that day, Sir, the public opinion has

become awakened to this great question; it has grasped it; it has reasoned upon it, as becomes an intelligent and patriotic community, and has settled it, or now seems in the progress of settling it, by an authority which none can disobey, the authority of the people themselves.

I shall not, Mr. President, follow the gentleman, step by step, through the course of his speech. Much of what he has said he has deemed necessary to the just explanation and defence of his own political character and conduct. On this I shall offer no comment. Much, too, has consisted of philosophical remark upon the general nature of political liberty, and the history of free institutions; and upon other topics, so general in their nature as to possess, in my opinion, only a remote bearing on the immediate subject of this debate.

But the gentleman's speech made some days ago, upon introducing his resolutions, those resolutions themselves, and parts of the speech now just concluded, may, I presume, be justly regarded as containing the whole South Carolina doctrine. That doctrine it is my purpose now to examine, and to compare it with the Constitution of the United States. I shall not consent, Sir, to make any new constitution, or to establish another form of government. I will not undertake to say what a constitution for these United States ought to be. That question the people have decided for themselves; and I shall take the instrument as they have established it, and shall endeavor to maintain it, in its plain sense and meaning, against opinions and notions which, in my judgment, threaten its subversion.

The resolutions introduced by the gentleman were apparently drawn up with care, and brought forward upon deliberation. I shall not be in danger, therefore, of misunderstanding him, or those who agree with him, if I proceed at once to these resolutions, and consider them as an authentic statement of those opinions upon the great constitutional question, by which the recent proceedings in South Carolina are attempted to be justified.

These resolutions are three in number.

The third seems intended to enumerate, and to deny, the

several opinions expressed in the President's proclamation, respecting the nature and powers of this government. Of this third resolution, I purpose, at present, to take no particular notice.

The first two resolutions of the honorable member affirm these propositions, viz.: —

1. That the political system under which we live, and under which Congress is now assembled, is a *compact*, to which the people of the several States, as separate and sovereign communities, are *the parties*.

2. That these sovereign parties have a right to judge, each for itself, of any alleged violation of the Constitution by Congress; and, in case of such violation, to choose, each for itself, its own mode and measure of redress.

It is true, Sir, that the honorable member calls this a "constitutional" compact; but still he affirms it to be a compact between sovereign States. What precise meaning, then, does he attach to the term *constitutional?* When applied to compacts between sovereign States, the term *constitutional* affixes to the word *compact* no definite idea. Were we to hear of a constitutional league or treaty between England and France, or a constitutional convention between Austria and Russia, we should not understand what could be intended by such a league, such a treaty, or such a convention. In these connections, the word is void of all meaning; and yet, Sir, it is easy, quite easy, to see why the honorable gentleman has used it in these resolutions. He cannot open the book, and look upon our written frame of government, without seeing that it is called a *constitution*. This may well be appalling to him. It threatens his whole doctrine of compact, and its darling derivatives, nullification and secession, with instant confutation. Because, if he admits our instrument of government to be a *constitution*, then, for that very reason, it is not a compact between sovereigns; a constitution of government and a compact between sovereign powers being things essentially unlike in their very natures, and incapable of ever being the same. Yet the word *constitution* is on the very front of the instrument. He cannot overlook it. He seeks, therefore,

to compromise the matter, and to sink all the substantial sense of the word, while he retains a resemblance of its sound. He introduces a new word of his own, viz., *compact*, as importing the principal idea, and designed to play the principal part, and degrades *constitution* into an insignificant, idle epithet, attached to *compact*. The whole then stands as a "*constitutional compact!*" And in this way he hopes to pass off a plausible gloss, as satisfying the words of the instrument. But he will find himself disappointed. Sir, I must say to the honorable gentleman, that, in our American political grammar, CONSTITUTION is a noun substantive; it imports a distinct and clear idea of itself; and it is not to lose its importance and dignity, it is not to be turned into a poor, ambiguous, senseless, unmeaning adjective, for the purpose of accommodating any new set of political notions. Sir, we reject his new rules of syntax altogether. We will not give up our forms of political speech to the grammarians of the school of nullification. By the Constitution, we mean, not a "constitutional compact," but, simply and directly the Constitution, the fundamental law; and if there be one word in the language which the people of the United States understand, this is that word. We know no more of a constitutional compact between sovereign powers, than we know of a *constitutional* indenture of copartnership, a *constitutional* deed of conveyance, or a *constitutional* bill of exchange. But we know what the *Constitution* is; we know what the plainly written, fundamental law is; we know what the bond of our Union and the security of our liberties is; and we mean to maintain and to defend it, in its plain sense and unsophisticated meaning.

The sense of the gentleman's proposition, therefore, is not at all affected, one way or the other, by the use of this word. That proposition still is, that our system of government is but a *compact* between the people of separate and sovereign States.

Was it Mirabeau, Mr. President, or some other master of the human passions, who has told us that words are things? They are indeed things, and things of mighty influence, not only in addresses to the passions and high-wrought

feelings of mankind, but in the discussion of legal and political questions also; because a just conclusion is often avoided, or a false one reached, by the adroit substitution of one phrase, or one word, for another. Of this we have, I think, another example in the resolutions before us.

The first resolution declares that the people of the several States "*acceded*" to the Constitution, or to the constitutional compact, as it is called. This word "accede," not found either in the Constitution itself, or in the ratification of it by any one of the States, has been chosen for use here, doubtless, not without a well-considered purpose.

The natural converse of *accession* is *secession;* and, therefore, when it is stated that the people of the States acceded to the Union, it may be more plausibly argued that they may secede from it. If, in adopting the Constitution, nothing was done but acceding to a compact, nothing would seem necessary, in order to break it up, but to secede from the same compact. But the term is wholly out of place. *Accession*, as a word applied to political associations, implies coming into a league, treaty, or confederacy, by one hitherto a stranger to it; and *secession* implies departing from such league or confederacy. The people of the United States have used no such form of expression in establishing the present government. They do not say that they *accede* to a league, but they declare that they *ordain* and *establish* a Constitution. Such are the very words of the instrument itself; and in all the States, without an exception, the language used by their conventions was, that they "*ratified the Constitution;*" some of them employing the additional words "assented to" and "adopted," but all of them "ratifying."

Therefore, Sir, since any State, before she can prove her right to dissolve the Union, must show her authority to undo what has been done, no State is at liberty to *secede*, on the ground that she and other States have done nothing but *accede*. She must show that she has a right to *reverse* what has been *ordained*, to *unsettle* and *overthrow* what has been *established*, to *reject* what the people have *adopted*, and to *break up* what they have *ratified;* because these are the terms which express the transactions which have actually

taken place. In other words, she must show her right to make a revolution.

The Constitution does not provide for events which must be preceded by its own destruction. SECESSION, therefore, since it must bring these consequences with it, is REVOLUTIONARY, and NULLIFICATION is equally REVOLUTIONARY. What is revolution? Why, Sir, that is revolution which overturns, or controls, or successfully resists, the existing public authority; that which arrests the exercise of the supreme power; that which introduces a new paramount authority into the rule of the State. Now, Sir, this is the precise object of nullification. It attempts to supersede the supreme legislative authority. It arrests the arm of the executive magistrate. It interrupts the exercise of the accustomed judicial power. Under the name of an ordinance, it declares null and void, within the State, all the revenue laws of the United States. Is not this revolutionary? Sir, so soon as this ordinance shall be carried into effect, *a revolution* will have commenced in South Carolina. She will have thrown off the authority to which her citizens have heretofore been subject. She will have declared her own opinions and her own will to be above the laws and above the power of those who are intrusted with their administration. If she makes good these declarations, she is revolutionized. As to her, it is as distinctly a change of the supreme power, as the American Revolution of 1776. That revolution did not subvert government in all its forms. It did not subvert local laws and municipal administrations. It only threw off the dominion of a power claiming to be superior, and to have a right, in many important respects, to exercise legislative authority. Thinking this authority to have been usurped or abused, the American Colonies, now the United States, bade it defiance, and freed themselves from it by means of a revolution. But that revolution left them with their own municipal laws still, and the forms of local government. If Carolina now shall effectually resist the laws of Congress; if she shall be her own judge, take her remedy into her own hands, obey the laws of the Union when she pleases and disobey them when she pleases, she

will relieve herself from a paramount power as distinctly as the American Colonies did the same thing in 1776. In other words, she will achieve, as to herself, a revolution.

But, Sir, while practical nullification in South Carolina would be, as to herself, actual and distinct revolution, its necessary tendency must also be to spread revolution, and to break up the Constitution, as to all the other States. It strikes a deadly blow at the vital principle of the whole Union. To allow State resistance to the laws of Congress to be rightful and proper, to admit nullification in some States, and yet not expect to see a dismemberment of the entire government, appears to me the wildest illusion, and the most extravagant folly. The gentleman seems not conscious of the direction or the rapidity of his own course. The current of his opinions sweeps him along, he knows not whither. To begin with nullification, with the avowed intent, nevertheless, not to proceed to secession, dismemberment, and general revolution, is as if one were to take the plunge of Niagara, and cry out that he would stop half way down. In the one case, as in the other, the rash adventurer must go to the bottom of the dark abyss below, were it not that that abyss has no discovered bottom.

Such, Sir, are the inevitable results of this doctrine. Beginning with the original error, that the Constitution of the United States is nothing but a compact between sovereign States; asserting, in the next step, that each State has a right to be its own sole judge of the extent of its own obligations, and consequently of the constitutionality of laws of Congress; and, in the next, that it may oppose whatever it sees fit to declare unconstitutional, and that it decides for itself on the mode and measure of redress, — the argument arrives at once at the conclusion, that what a State dissents from, it may nullify; what it opposes, it may oppose by force; what it decides for itself, it may execute by its own power; and that, in short, it is itself supreme over the legislation of Congress, and supreme over the decisions of the national judicature; supreme over the constitution of the country, supreme over the supreme law of the land. However it seeks to protect itself against these plain inferences,

by saying that an unconstitutional law is no law, and that it only opposes such laws as are unconstitutional, yet this does not in the slightest degree vary the result; since it insists on deciding this question for itself; and, in opposition to reason and argument, in opposition to practice and experience, in opposition to the judgment of others, having an equal right to judge, it says, only, "Such is my opinion, and my opinion shall be my law, and I will support it by my own strong hand. I denounce the law; I declare it unconstitutional; that is enough; it shall not be executed. Men in arms are ready to resist its execution. An attempt to enforce it shall cover the land with blood. Elsewhere it may be binding; but here it is trampled under foot."

This, Sir, is practical nullification.

And now, Sir, against all these theories and opinions, I maintain, —

1. That the Constitution of the United States is not a league, confederacy, or compact between the people of the several States in their sovereign capacities; but a government proper, founded on the adoption of the people, and creating direct relations between itself and individuals.

2. That no State authority has power to dissolve these relations; that nothing can dissolve them but revolution; and that, consequently, there can be no such thing as secession without revolution.

3. That there is a supreme law, consisting of the Constitution of the United States, and acts of Congress passed in pursuance of it, and treaties; and that, in cases not capable of assuming the character of a suit in law or equity, Congress must judge of, and finally interpret, this supreme law so often as it has occasion to pass acts of legislation; and in cases capable of assuming, and actually assuming, the character of a suit, the Supreme Court of the United States is the final interpreter.

4. That an attempt by a State to abrogate, annul, or nullify an act of Congress, or to arrest its operation within her limits, on the ground that, in her opinion, such law is unconstitutional, is a direct usurpation on the just powers of the general government, and on the equal rights of other

States; a plain violation of the Constitution, and a proceeding essentially revolutionary in its character and tendency.

Whether the Constitution be a compact between States in their sovereign capacities, is a question which must be mainly argued from what is contained in the instrument itself. We agree that it is an instrument which has been in some way clothed with power. We all admit that it speaks with authority. The first question then is, What does it say of itself? What does it purport to be? Does it style itself a league, confederacy, or compact between sovereign States? It is to be remembered, Sir, that the Constitution began to speak only after its adoption. Until it was ratified by nine States, it was but a proposal, the mere draught of an instrument. It was like a deed drawn, but not executed. The Convention had framed it; sent it to Congress, then sitting under the Confederation; Congress had transmitted it to the State legislatures; and by these last it was laid before conventions of the people in the several States. All this while it was inoperative paper. It had received no stamp of authority, no sanction; it spoke no language. But when ratified by the people in their respective conventions, then it had a voice, and spoke authentically. Every word in it had then received the sanction of the popular will, and was to be received as the expression of that will. What the Constitution says of itself, therefore, is as conclusive as what it says on any other point. Does it call itself a "compact"? Certainly not. It uses the word *compact* but once, and that is when it declares that the States shall enter into no compact. Does it call itself a "league," a "confederacy," a "subsisting treaty between the States"? Certainly not. There is not a particle of such language in all its pages. But it declares itself a CONSTITUTION. What is a *constitution?* Certainly not a league, compact, or confederacy, but *a fundamental law.* That fundamental regulation which determines the manner in which the public authority is to be executed, is what forms the *constitution* of a state. Those primary rules which concern the body itself, and the very being of the political society, the form of government, and the manner in which power is to be exercised, — all, in a

word, which form together the *constitution of a state*, — these are the fundamental laws. This, Sir, is the language of the public writers. But do we need to be informed, in this country, what a *constitution* is? Is it not an idea perfectly familiar, definite, and well settled? We are at no loss to understand what is meant by the constitution of one of the States; and the Constitution of the United States speaks of itself as being an instrument of the same nature. It says, this *Constitution* shall be the law of the land, any thing in any State *constitution* to the contrary notwithstanding. And it speaks of itself, too, in plain contradistinction from a confederation; for it says that all debts contracted, and all engagements entered into, by the United States, shall be as valid under this *Constitution* as under the *Confederation*. It does not say, as valid under this *compact*, or this league, or this confederation, as under the former confederation, but as valid under this *Constitution*.

It appears to me, Mr. President, that the plainest account of the establishment of this government presents the most just and philosophical view of its foundation. The people of the several States had their separate State governments; and between the States there also existed a Confederation. With this condition of things the people were not satisfied, as the Confederation had been found not to fulfil its intended objects. It was *proposed*, therefore, to erect a new, common government, which should possess certain definite powers, such as regarded the prosperity of the people of all the States, and to be formed upon the general model of American constitutions. This proposal was assented to, and an instrument was presented to the people of the several States for their consideration. They approved it, and agreed to adopt it, as a Constitution. They executed that agreement; they adopted the Constitution as a Constitution, and henceforth it must stand as a Constitution until it shall be altogether destroyed. Now, Sir, is not this the truth of the whole matter? And is not all that we have heard of compact between sovereign States the mere effect of a theoretical and artificial mode of reasoning upon the subject? a mode of reasoning which disregards plain facts for the sake of hypothesis?

The Constitution of the United States creates direct relations between this government and individuals. This government may punish individuals for treason, and all other crimes in the code, when committed against the United States. It has power, also, to tax individuals, in any mode, and to any extent; and it possesses the further power of demanding from individuals military service. Nothing, certainly, can more clearly distinguish a government from a confederation of states than the possession of these powers. No closer relations can exist between individuals and any government.

On the other hand, the government owes high and solemn duties to every citizen of the country. It is bound to protect him in his most important rights and interests. It makes war for his protection, and no other government in the country can make war. It makes peace for his protection, and no other government can make peace. It maintains armies and navies for his defence and security, and no other government is allowed to maintain them. He goes abroad beneath its flag, and carries over all the earth a national character imparted to him by this government, and which no other government can impart. In whatever relates to war, to peace, to commerce, he knows no other government. All these, Sir, are connections as dear and as sacred as can bind individuals to any government on earth. It is not, therefore, a compact between States, but a government proper, operating directly upon individuals, yielding to them protection on the one hand, and demanding from them obedience on the other.

The truth is, Mr. President, and no ingenuity of argument, no subtilty of distinction can evade it, that, as to certain purposes, the people of the United States are one people. They are one in making war, and one in making peace; they are one in regulating commerce, and one in laying duties of imposts. The very end and purpose of the Constitution was, to make them one people in these particulars; and it has effectually accomplished its object. All this is apparent on the face of the Constitution itself. I have already said, Sir, that to obtain a power of direct legislation

over the people, especially in regard to imposts, was always prominent as a reason for getting rid of the Confederation, and forming a new Constitution.

Among all the ratifications, there is not one which speaks of the Constitution as a compact between States. Those of Massachusetts and New Hampshire express the transaction, in my opinion, with sufficient accuracy. They recognize the Divine goodness "in affording THE PEOPLE OF THE UNITED STATES an opportunity of entering into an explicit and solemn compact with each other, *by assenting to and ratifying a new Constitution.*" You will observe, Sir, that it is the PEOPLE, and not the States, who have entered into this compact; and it is the PEOPLE of all the United States. These conventions, by this form of expression, meant merely to say, that the people of the United States had, by the blessing of Providence, enjoyed the opportunity of establishing a new Constitution, *founded in the consent of the people.* This consent of the people has been called, by European writers, the *social compact;* and, in conformity to this common mode of expression, these conventions speak of that assent, on which the new Constitution was to rest, as an explicit and solemn compact, not which the States had entered into with each other, but which the *people* of the United States had entered into.

Finally, Sir, how can any man get over the words of the Constitution itself? — "WE, THE PEOPLE OF THE UNITED STATES, DO ORDAIN AND ESTABLISH THIS CONSTITUTION." These words must cease to be a part of the Constitution, they must be obliterated from the parchment on which they are written, before any human ingenuity or human argument can remove the popular basis on which that Constitution rests, and turn the instrument into a mere compact between sovereign States.

The second proposition, Sir, which I propose to maintain, is, that no State authority can dissolve the relations subsisting between the government of the United States and individuals; that nothing can dissolve these relations but revolution; and that, therefore, there can be no such thing as *secession* without revolution. All this follows, as it seems to

me, as a just consequence, if it be first proved that the Constitution of the United States is a government proper, owing protection to individuals, and entitled to their obedience.

The people, Sir, in every State, live under two governments. They owe obedience to both. These governments, though distinct, are not adverse. Each has its separate sphere, and its peculiar powers and duties. It is not a contest between two sovereigns for the same power, like the wars of the rival houses in England; nor is it a dispute between a government *de facto* and a government *de jure*. It is the case of a division of powers between two governments, made by the people, to whom both are responsible. Neither can dispense with the duty which individuals owe to the other; neither can call itself master of the other: the people are masters of both. This division of power, it is true, is in a great measure unknown in Europe. It is the peculiar system of America; and, though new and singular, it is not incomprehensible. The State constitutions are established by the people of the States. This Constitution is established by the people of all the States. How, then, can a State secede? How can a State undo what the whole people have done? How can she absolve her citizens from their obedience to the laws of the United States? How can she annul their obligations and oaths? How can the members of her legislature renounce their own oaths? Sir, secession as a revolutionary right, is intelligible; as a right to be proclaimed in the midst of civil commotions, and asserted at the head of armies, I can understand it. But as a practical right, existing under the Constitution, and in conformity with its provisions, it seems to me to be nothing but a plain absurdity; for it supposes resistance to government, under the authority of government itself; it supposes dismemberment, without violating the principles of union; it supposes opposition to law, without crime; it supposes the violation of oaths, without responsibility; it supposes the total overthrow of government, without revolution.

The Constitution, Sir, regards itself as perpetual and immortal. It seeks to establish a union among the people of the States, which shall last through all time. Or, if the

common fate of things human must be expected at some period to happen to it, yet that catastrophe is not anticipated.

The instrument contains ample provisions for its amendment, at all times; none for its abandonment, at any time. It declares that new States may come into the Union, but it does not declare that old States may go out. The Union is not a temporary partnership of States. It is the association of the people, under a constitution of government, uniting their power, joining together their highest interests, cementing their present enjoyments, and blending, in one indivisible mass, all their hopes for the future. Whatsoever is steadfast in just political principles; whatsoever is permanent in the structure of human society; whatsoever there is which can derive an enduring character from being founded on deep-laid principles of constitutional liberty and on the broad foundations of the public will, — all these unite to entitle this instrument to be regarded as a permanent constitution of government. In the next place, Mr. President, I contend that there is a supreme law of the land, consisting of the Constitution, acts of Congress passed in pursuance of it, and the public treaties. This will not be denied, because such are the very words of the Constitution. But I contend, further, that it rightfully belongs to Congress, and to the courts of the United States, to settle the construction of this supreme law, in doubtful cases. This is denied; and here arises the great practical question, *Who is to construe finally the Constitution of the United States?* We all agree that the Constitution is the supreme law; but who shall interpret that law? In our system of the division of powers between different governments, controversies will necessarily sometimes arise, respecting the extent of the powers of each. Who shall decide these controversies? Does it rest with the general government, in all or any of its departments, to exercise the office of final interpreter? Or may each of the States, as well as the general government, claim this right of ultimate decision? The practical result of this whole debate turns on this point. The gentleman contends that each State may judge for itself of any alleged violation of

the Constitution, and may finally decide for itself, and may execute its own decisions by its own power. All the recent proceedings in South Carolina are founded on this claim of right. Her convention has pronounced the revenue laws of the United States unconstitutional; and this decision she does not allow any authority of the United States to overrule or reverse. Of course she rejects the authority of Congress, because the very object of the ordinance is to reverse the decision of Congress; and she rejects, too, the authority of the courts of the United States, because she expressly prohibits all appeal to those courts. It is in order to sustain this asserted right of being her own judge, that she pronounces the Constitution of the United States to be but a compact, to which she is a party, and a sovereign party. If this be established, then the inference is supposed to follow, that, being sovereign, there is no power to control her decision; and her own judgment on her own compact is, and must be, conclusive.

I have already endeavored, Sir, to point out the practical consequences of this doctrine, and to show how utterly inconsistent it is with all ideas of regular government, and how soon its adoption would involve the whole country in revolution and absolute anarchy. I hope it is easy now to show, Sir, that a doctrine bringing such consequences with it is not well founded; that it has nothing to stand on but theory and assumption; and that it is refuted by plain and express constitutional provisions. I think the government of the United States does possess, in its appropriate departments, the authority of final decision on questions of disputed power. I think it possesses this authority, both by necessary implication and by express grant.

It will not be denied, Sir, that this authority naturally belongs to all governments. They all exercise it from necessity, and as a consequence of the exercise of other powers. The State governments themselves possess it, except in that class of questions which may arise between them and the general government, and in regard to which they have surrendered it, as well by the nature of the case as by clear constitutional provisions. In other and ordinary cases,

whether a particular law be in conformity to the constitution of the State is a question which the State legislature or the State judiciary must determine. We all know that these questions arise daily in the State governments, and are decided by those governments; and I know no government which does not exercise a similar power.

Upon general principles, then, the government of the United States possesses this authority; and this would hardly be denied were it not that there are other governments. But since there are State governments, and since these, like other governments, ordinarily construe their own powers, if the government of the United States construes its own powers also, which construction is to prevail in the case of opposite constructions? And again, as in the case now actually before us, the State governments may undertake, not only to construe their own powers, but to decide directly on the extent of the powers of Congress. Congress has passed a law as being within its just powers; South Carolina denies that this law is within its just powers, and insists that she has the right so to decide this point, and that her decision is final. How are these questions to be settled?

In my opinion, Sir, even if the Constitution of the United States had made no express provision for such cases, it would yet be difficult to maintain, that, in a Constitution existing over four and twenty States, with equal authority over all, *one* could claim a right of construing it for the whole. This would seem a manifest impropriety; indeed, an absurdity. If the Constitution is a government existing over all the States, though with limited powers, it necessarily follows that, to the extent of those powers, it must be supreme. If it be not superior to the authority of a particular State, it is not a national government. But as it is a government, as it has a legislative power of its own, and a judicial power coextensive with the legislative, the inference is irresistible that this government, thus created *by* the whole and *for* the whole, must have an authority superior to that of the particular government of any one part. Congress is the legislature of all the people of the United States; the judiciary of the general government is the judi-

ciary of all the people of the United States. To hold, therefore, that this legislature and this judiciary are subordinate in authority to the legislature and judiciary of a single State, is doing violence to all common sense, and overturning all established principles. Congress must judge of the extent of its own powers so often as it is called on to exercise them, or it cannot act at all; and it must also act independent of State control, or it cannot act at all.

The right of State interposition strikes at the very foundation of the legislative power of Congress. It possesses no effective legislative power, if such right of State interposition exists; because it can pass no law not subject to abrogation. It cannot make laws for the Union, if any part of the Union may pronounce its enactments void and of no effect. Its forms of legislation would be an idle ceremony, if, after all, any one of four and twenty States might bid defiance to its authority. Without express provision in the Constitution, therefore, Sir, this whole question is necessarily decided by those provisions which create a legislative power and a judicial power. If these exist in a government intended for the whole, the inevitable consequence is, that the laws of this legislative power and the decisions of this judicial power must be binding on and over the whole. No man can form the conception of a government existing over four and twenty States, with a regular legislative and judicial power, and of the existence at the same time of an authority, residing elsewhere, to resist, at pleasure or discretion, the enactments and the decisions of such a government. I maintain, therefore, Sir, that, from the nature of the case, and as an inference wholly unavoidable, the acts of Congress and the decisions of the national courts must be of higher authority than State laws and State decisions. If this be not so, there is, there can be, no general government.

But, Mr. President, the Constitution has not left this cardinal point without full and explicit provisions. First, as to the authority of Congress. Having enumerated the specific powers conferred on Congress, the Constitution adds, as a distinct and substantive clause, the following, viz.: "To

make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof." If this means any thing, it means that Congress may judge of the true extent and just interpretation of the specific powers granted to it, and may judge also of what is necessary and proper for executing those powers. If Congress is to judge of what is necessary for the execution of its powers, it must, of necessity, judge of the extent and interpretation of those powers.

And in regard, Sir, to the judiciary, the Constitution is still more express and emphatic. It declares that the judicial power shall extend to all *cases* in law or equity arising under the Constitution, laws of the United States, and treaties; that there shall be *one* Supreme Court, and that this Supreme Court shall have appellate jurisdiction of all these cases, subject to such exceptions as Congress may make. It is impossible to escape from the generality of these words. If a case arises under the Constitution, that is, if a case arises depending on the construction of the Constitution, the judicial power of the United States extends to it. It reaches *the case, the question;* it attaches the power of the national judicature to the *case* itself, in whatever court it may arise or exist; and in this *case* the Supreme Court has appellate jurisdiction over all courts whatever. No language could provide with more effect and precision than is here done, for subjecting constitutional questions to the ultimate decision of the Supreme Court. And, Sir, this is exactly what the Convention found it necessary to provide for, and intended to provide for. It is, too, exactly what the people were universally told was done when they adopted the Constitution. One of the first resolutions adopted by the Convention was in these words, viz.: "That the jurisdiction of the national judiciary shall extend to cases which respect *the collection of the national revenue,* and questions which involve the national peace and harmony." Now, Sir, this either had no sensible meaning at all, or else it meant that

the jurisdiction of the national judiciary should extend to these questions, *with a paramount authority.*

But, Sir, I hold South Carolina to her ancient, her cool, her uninfluenced, her deliberate opinions. I hold her to her own admissions, nay, to her own claims and pretensions, in 1789, in the first Congress, and to her acknowledgments and avowed sentiments through a long series of succeeding years. I hold her to the principles on which she led Congress to act in 1816; or, if she have changed her own opinions, I claim some respect for those who still retain the same opinions. I say she is precluded from asserting that doctrines, which she has herself so long and so ably sustained, are plain, palpable, and dangerous violations of the Constitution.

Mr. President, if the friends of nullification should be able to propagate their opinions, and give them practical effect, they would, in my judgment, prove themselves the most skilful "architects of ruin," the most effectual extinguishers of high-raised expectation, the greatest blasters of human hopes, that any age has produced. They would stand up to proclaim, in tones which would pierce the ears of half the human race, that the last great experiment of representative government had failed. They would send forth sounds, at the hearing of which the doctrine of the divine right of kings would feel, even in its grave, a returning sensation of vitality and resuscitation. Millions of eyes, of those who now feed their inherent love of liberty on the success of the American example, would turn away from beholding our dismemberment, and find no place on earth whereon to rest their gratified sight. Amidst the incantations and orgies of nullification, secession, disunion, and revolution, would be celebrated the funeral rites of constitutional and republican liberty.

But, Sir, if the government do its duty, if it act with firmness and with moderation, these opinions cannot prevail. Be assured, Sir, be assured, that, among the political sentiments of this people, the love of union is still uppermost. They will stand fast by the Constitution, and by those who

defend it. I rely on no temporary expedients, on no political combination; but I rely on the true American feeling, the genuine patriotism of the people, and the imperative decision of the public voice. Disorder and confusion, indeed, may arise; scenes of commotion and contest are threatened, and perhaps may come. With my whole heart, I pray for the continuance of the domestic peace and quiet of the country. I desire, most ardently, the restoration of affection and harmony to all its parts. I desire that every citizen of the whole country may look to this government with no other sentiments than those of grateful respect and attachment. But I cannot yield even to kind feelings the cause of the Constitution, the true glory of the country, and the great trust which we hold in our hands for succeeding ages. If the Constitution cannot be maintained without meeting these scenes of commotion and contest, however unwelcome, they must come. We cannot, we must not, we dare not, omit to do that which, in our judgment, the safety of the Union requires. Not regardless of consequences, we must yet meet consequences; seeing the hazards which surround the discharge of public duty, it must yet be discharged. For myself, Sir, I shun no responsibility justly devolving on me, here or elsewhere, in attempting to maintain the cause. I am bound to it by indissoluble ties of affection and duty, and I shall cheerfully partake in its fortunes and its fate. I am ready to perform my own appropriate part, whenever and wherever the occasion may call on me, and to take my chance among those upon whom blows may fall first and fall thickest. I shall exert every faculty I possess in aiding to prevent the Constitution from being nullified, destroyed, or impaired; and even should I see it fall, I will still, with a voice feeble, perhaps, but earnest as ever issued from human lips, and with fidelity and zeal which nothing shall extinguish, call on the PEOPLE to come to its rescue.

RECEPTION AT BUFFALO, N. Y.

Remarks made to the Citizens of Buffalo, June, 1833.

In the summer of 1833, Mr. Webster made a visit to the State of Ohio. On his way thither, while at Buffalo, New York, he was invited by the citizens of that place to attend a public dinner, which his engagements, and the necessity of an early departure, compelled him to decline. He accepted, however, an invitation to be present at the launching of a steamboat, to which the proprietors had given the name of Daniel Webster, and, in reply to an address from one of them, made the following remarks: —

I avail myself gladly of this opportunity of making my acknowledgments to the proprietors of this vessel, for the honor conferred upon me by allowing her to bear my name. Such a token of regard, had it proceeded from my immediate friends and neighbors, could not but have excited feelings of gratitude. It is more calculated to awaken these sentiments, when coming from gentlemen of character and worth with whom I have not had the pleasure of personal acquaintance, and whose motive, I may flatter myself, is to be found in an indulgent opinion towards well-intentioned services in a public situation.

It gives me great pleasure also, on the occasion of so large an assembly of the people of Buffalo, to express to them my thanks for the kindness and hospitality with which I have been received in this young, but growing and interesting city. The launching of another vessel on these inland seas is but a fresh occasion of congratulation on the rapid growth, the great active prosperity, and the animating prospects of this city. Eight years ago, fellow-citizens, I enjoyed the pleasure of a short visit to this place. There was then but one steamboat on Lake Erie; it made its passage once in ten or fifteen days only; and I remember that persons in my own vicinity, intending to travel to the Far West by that conveyance, wrote to their friends here to learn the day of the commencement of the contemplated voyage. I understand that there are now eighteen steamboats plying on the lake, all finding full employment; and that a boat leaves Buffalo twice every day for Detroit and the ports in

Ohio. The population of Buffalo, now four times as large as it was then, has kept pace with the augmentation of its commercial business. This rapid progress is an indication, in a single instance, of what is likely to be the rate of the future progress of the city. So many circumstances incline to favor its advancement, that it is difficult to estimate the rate by which it may hereafter proceed. It will probably not be long before the products of the fisheries of the East, the importations of the Atlantic frontier, the productions, mineral and vegetable, of all the North-western States, and the sugars of Louisiana, will find their way hither by inland water communication. Much of this, indeed, has already taken place, and is of daily occurrence. Many, who remember the competition between Buffalo and Black Rock for the site of the city, will doubtless live to see the city spread over both. This singular prosperity, fellow-citizens, so gratifying for the present, and accompanied with such high hopes for the future, is due to your own industry and enterprise, to your favored position, and to the flourishing condition of the internal commerce of the country; and the blessings and the riches of that internal commerce, be it ever remembered, are the fruits of a united government, and one general, common commercial system.

It is not only the trade of New York, of Ohio, of New England, of Indiana, or of Michigan, but it is a part of the great aggregate of the trade of all the States, in which you so largely and so successfully partake. Who does not see that the advantages here enjoyed spring from a general government and a uniform code? Who does not see, that, if these States had remained severed, and each had existed with a system of imposts and commercial regulations of its own, all excluding and repelling, rather than inviting, the intercourse of the rest, the place could hardly have hoped to be more than a respectable frontier post? Or can any man look to the one and to the other side of this beautiful lake and river, and not see, in their different conditions, the plain and manifest results of different political institutions and commercial regulations?

It would be pleasant, fellow-citizens, to dwell on these

topics, so worthy at all times of regard and reflection; and especially so fit to engage attention at the present moment. But this is not the proper moment to pursue them; and, tendering to you once more my thanks and good wishes, I take my leave of you by expressing my hope for the continued success of that great interest, so essential to your happiness—THE COMMERCE OF THE LAKES, A NEW-DISCOVERED SOURCE OF NATIONAL PROSPERITY, AND A NEW BOND OF NATIONAL UNION.

An address was also made to Mr. Webster in behalf of the mechanics and manufacturers of Buffalo, to which he returned the following reply:—

I NEED hardly say, Mr. Chairman and Gentlemen, that it gives me much satisfaction to receive this mark of approbation of my public conduct from the manufacturers and mechanics of Buffalo. Those who are the most immediately affected by the measures of the government are naturally the earliest to perceive their operation, and to foresee their final results. Allow me to say, Gentlemen, that the confidence expressed by you in my continuance in the general course which I have pursued must rest, and may rest safely, I trust, on the history of the past. Desiring always to avoid extremes, and to observe a prudent moderation in regard to the protective system, I yet hold steadiness and perseverance, in maintaining what has been established, to be essential to the public prosperity. Nothing can be worse than that laws concerning the daily labor and the daily bread of whole classes of the people should be subject to frequent and violent changes. It were far better not to move at all than to move forward and then fall back again.

My sentiments, Gentlemen, on the tariff question, are generally known. In my opinion, a just and a leading object in the whole system is the encouragement and protection of American manual labor. I confess, that every day's experience convinces me more and more of the high propriety of regarding this object. Our government is made for all, not for a few. Its object is to promote the greatest good of the whole; and this ought to be kept constantly in view

in its administration. The far greater number of those who maintain the government belong to what may be called the industrious or productive classes of the community. With us labor is not depressed, ignorant, and unintelligent. On the contrary, it is active, spirited, enterprising, seeking its own rewards, and laying up for its own competence and its own support. The motive to labor is the great stimulus to our whole society; and no system is wise or just which does not afford this stimulus, as far as it may. The protection of American labor against the injurious competition of foreign labor, so far, at least, as respects general handicraft productions, is known historically to have been one end designed to be obtained by establishing the Constitution; and this object, and the constitutional power to accomplish it, ought never in any degree to be surrendered or compromised.

Our political institutions, Gentlemen, place power in the hands of all the people; and to make the exercise of this power, in such hands, salutary, it is indispensable that all the people should enjoy, first, the means of education, and, second, the reasonable certainty of procuring a competent livelihood by industry and labor. These institutions are neither designed for, nor suited to, a nation of ignorant paupers. To disseminate knowledge, then, universally, and to secure to labor and industry their just rewards, is the duty both of the general and the State governments, each in the exercise of its appropriate powers. To be free, the people must be intelligently free; to be substantially independent, they must be able to secure themselves against want, by sobriety and industry; to be safe depositaries of political power, they must be able to comprehend and understand the general interests of the community, and must themselves have a stake in the welfare of that community. The interest of labor, therefore, has an importance, in our system, beyond what belongs to it as a mere question of political economy. It is connected with our forms of government, and our whole social system. The activity and prosperity which at present prevail among us, as every one must notice, are produced by the excitement of compensating prices to

labor; and it is fervently to be hoped that no unpropitious circumstances and no unwise policy may counteract this efficient cause of general competency and public happiness.

RECEPTION AT PITTSBURG.

Address delivered to the Citizens of Pittsburg, Pa., on the 8th of July, 1833.

MR. MAYOR AND GENTLEMEN: — I rise, fellow-citizens, with unaffected sensibility, to give you my thanks for the hospitable manner in which you have been kind enough to receive me, on this my first visit to Pittsburg, and to make all due acknowledgments to your worthy Mayor for the sentiments which he has now seen fit to express.

Although, Gentlemen, it has been my fortune to be personally acquainted with very few of you, I feel, at this moment, that we are not strangers. We are fellow-countrymen, fellow-citizens, bound together by a thousand ties of interest, of sympathy, of duty; united, I hope I may add, by bonds of mutual regard. We are bound together, for good or for evil, in our great political interests. I know that I am addressing Americans, every one of whom has a true American heart in his bosom; and I feel that I have also an American heart in *my* bosom. I address you, then, Gentlemen, with the same fervent good wishes for your happiness, the same brotherly affection, and the same feelings of regard and esteem, as if, instead of being upon the borders of the Ohio, I stood by the Connecticut or the Merrimack. As citizens, countrymen, and neighbors, I give you my hearty good wishes, and thank you, over and over again, for your abundant hospitality.

Gentlemen, the Mayor has been pleased to advert, in terms beyond all expectation or merit of my own, to my services in defence of the glorious Constitution under which we live, and which makes you and me all that we are, and all that we desire to be. He has done much more than justice to my efforts; but he has not overstated the importance of the occasion on which those efforts were made.

Gentlemen, it is but a few short months since dark and portentous clouds *did* hang over our heavens, and *did* shut out, as it were, the sun in his glory. A new and perilous crisis was upon us. Dangers, novel in their character, and fearful in their aspect, menaced both the peace of the country and the integrity of the Constitution. For forty years our government had gone on, I need hardly say how prosperously and gloriously, meeting, it is true, with occasional dissatisfaction, and, in one or two instances, with ill-concerted resistance to law. Through all these trials it had successfully passed. But now a time had come when the authority of law was opposed by authority of law, when the power of the general government was resisted by the arms of State government, and when organized military force, under all the sanctions of State conventions and State laws, was ready to resist the collection of the public revenues, and hurl defiance at the statutes of Congress.

Gentlemen, this was an alarming moment. In common with all good citizens, I felt it to be such. A general anxiety pervaded the breasts of all who were, at home, partaking in the prosperity, honor, and happiness which the country had enjoyed. And how was it abroad? Why, Gentlemen, every intelligent friend of human liberty, throughout the world, looked with amazement at the spectacle which we exhibited. In a day of unparalleled prosperity, after a half century's most happy experience of the blessings of our Union; when we had already become the wonder of all the liberal part of the world, and the envy of the illiberal; when the Constitution had so amply falsified the predictions of its enemies, and more than fulfilled all the hopes of its friends; in a time of peace, with an overflowing treasury; when both the population and the improvement of the country had outrun the most sanguine anticipations; — it was at this moment that we showed ourselves to the whole civilized world as being apparently on the eve of disunion and anarchy, at the very point of dissolving, once and forever, that Union which had made us so prosperous and so great. It was at this moment that those appeared among us who seemed ready to break up the national Constitution, and to

scatter the twenty-four States into twenty-four unconnected communities.

Gentlemen, the President of the United States was, as it seemed to me, at this eventful crisis, true to his duty. He comprehended and understood the case, and met it as it was proper to meet it. While I am as willing as others to admit that the President has, on other occasions, rendered important services to the country, and especially on that occasion which has given him so much military renown, I yet think the ability and decision with which he rejected the disorganizing doctrines of nullification create a claim, than which he has none higher, to the gratitude of the country and the respect of posterity. The appearance of the proclamation of the 10th of December inspired me, I confess, with new hopes for the duration of the republic. I regarded it as just, patriotic, able, and imperiously demanded by the condition of the country. I would not be understood to speak of particular clauses and phrases in the proclamation; but I regard its great and leading doctrines as the true and only true doctrines of the Constitution. They constitute the sole ground on which dismemberment can be resisted. Nothing else, in my opinion, can hold us together. While these opinions are maintained, the Union will last; when they shall be generally rejected and abandoned, that Union will be at the mercy of a temporary majority in any one of the States.

I speak, Gentlemen, on this subject, without reserve. I have not intended heretofore, and elsewhere, and do not now intend here, to stint my commendation of the conduct of the President in regard to the proclamation and the subsequent measures. I have differed with the President, as all know, who know any thing of so humble an individual as myself, on many questions of great general interest and importance. I differ with him in respect to the constitutional power of internal improvements; I differ with him in respect to the rechartering of the Bank, and I dissent, especially, from the grounds and reasons on which he refused his assent to the bill passed by Congress for that purpose. I differ with him, also, probably, in the degree of protection

which ought to be afforded to our agriculture and manufactures, and in the manner in which it may be proper to dispose of the public lands. But all these differences afforded, in my judgment, not the slightest reason for opposing him in a measure of paramount importance, and at a moment of great public exigency. I sought to take counsel of nothing but patriotism, to feel no impulse but that of duty, and to yield not a lame and hesitating, but a vigorous and cordial, support to measures which, in my conscience, I believed essential to the preservation of the Constitution. It is true, doubtless, that if myself and others had surrendered ourselves to a spirit of opposition, we might have embarrassed, and probably defeated, the measures of the administration. But in so doing, we should, in my opinion, have been false to our own characters, false to our duty, and false to our country. It gives me the highest satisfaction to know, that, in regard to this subject, the general voice of the country does not disapprove my conduct.

I ought to add, Gentlemen, that, in whatever I may have done or attempted in this respect, I only share a common merit. A vast majority of both houses of Congress cordially concurred in the measures. Your own great State was seen in her just position on that occasion, and your own immediate representatives were found among the most zealous and efficient friends of the Union.

Gentlemen, I hope that the result of that experiment may prove salutary in its consequences to our government, and to the interests of the community. I hope that the signal and decisive manifestation of public opinion, which has, for the time at least, put down the despotism of nullification, may produce permanent good effects.

I wish to preserve the Constitution as it is, without addition, and without diminution, by one jot or tittle. For the same reason that I would not grasp at powers not given, I would not surrender nor abandon powers which are given. Those who have placed me in a public station placed me there, not to alter the Constitution, but to administer it. The power of change the people have retained to themselves. *They* can alter, they can modify, they can change

the Constitution entirely, if they see fit. *They* can tread it under foot, and make another, or make no other; but while it remains unaltered by the authority of the people, it is our power of attorney, our letter of credit, our credentials; and we are to follow it, and obey its injunctions, and maintain its just powers, to the best of our abilities. I repeat, that, for one, I seek to preserve to the Constitution those precise powers with which the people have clothed it. While no encroachment is to be made on the reserved rights of the people or of the States, while nothing is to be usurped, it is equally clear that we are not at liberty to surrender, either in fact or form, any power or principle which the Constitution does actually contain.

Your worthy chief magistrate has been kind enough, Gentlemen, to express sentiments favorable to myself, as a friend of domestic industry. Domestic industry! How much of national power and opulence, how much of individual comfort and respectability, that phrase implies! And with what force does it strike us, as we stand here, at the confluence of the two rivers whose united currents constitute the Ohio, and in the midst of one of the most flourishing and distinguished manufacturing cities in the Union! Many thousand miles of inland navigation, running through a new and rapidly-improving country, stretch away below us. Internal communications, completed or in progress, connect the city with the Atlantic and the Lakes. A hundred steam engines are in daily operation, and nature has supplied the fuel which feeds their incessant flames on the spot itself, in exhaustless abundance. Standing here, Gentlemen, in the midst of such a population, and with such a scene around us, how great is the import of these words, "domestic industry"!

Next to the preservation of the government itself, there can hardly be a more vital question, to such a community as this, than that which regards their own employments, and the preservation of that policy which the government has adopted and cherished for the encouragement and protection of those employments. This is not, in a society like this, a matter which affects the interest of a particular class, but

one which affects the interest of all classes. It runs through the whole chain of human occupation and employment, and touches the means of living and the comfort of all.

Gentlemen, those of you who may have turned your attention to the subject know, that, in the quarter of the country with which I am more immediately connected, the people were not early or eager to urge the government to carry the protective policy to the height which it has reached. Candor obliges me to remind you, that, when the act of 1824 was passed, neither he who now addresses you, nor those with whom he usually acted on such subjects, were ready or willing to take the step which that act proposed. They doubted its *expediency*. It passed, however, by the great and overwhelming influence of the central States, New York, Pennsylvania, and Ohio. New England acquiesced in it. She conformed to it, as the settled policy of the country, and gave to her capital and her labor a corresponding direction. She has now become vitally interested in the preservation of the system. Her prosperity is identified, not perhaps with any particular degree of protection, but with the preservation of the principle; and she is not likely to consent to yield the principle, under any circumstances whatever. And who would dare to yield it? Who, standing here, and looking round on this community and its interests, would be bold enough to touch the spring which moves so much industry and produces so much happiness? Who would shut up the mouths of these vast coal pits? Who would stay the cargoes of manufactured goods, now floating down a river, one of the noblest in the world, and stretching through territories almost boundless in extent and unequalled in fertility? Who would quench the fires of so many steam engines, or check the operations of so much well-employed labor? Gentlemen, I cannot conceive how any subversion of that policy which has hitherto been pursued can take place, without great public embarrassment and great private distress.

I have said, that I am in favor of protecting American manual labor; and after the best reflection I can give the subject, and from the lights which I can derive from the experience of ourselves and others, I have come to the conclu-

sion that such protection is just and proper; and that to leave American labor to sustain a competition with that of the over-peopled countries of Europe would lead to a state of things to which the people could never submit. This is the great reason why I am for maintaining what has been established. I see at home, I see here, I see wherever I go, that the stimulus which has excited the existing activity, and is producing the existing prosperity, of the country, is nothing else than the stimulus held out to labor by compensating prices. I think this effect is visible every where, from Penobscot to New Orleans, and manifest in the condition and circumstances of the great body of the people; for nine tenths of the whole people belong to the laborious, industrious, and productive classes; and on these classes the stimulus acts. We perceive that the price of labor is high, and we know that the means of living are low; and these two truths speak volumes in favor of the general prosperity of the country. I am aware, as has been said already, that this high price of labor results partly from the favorable condition of the country. Labor was high, comparatively speaking, before the act of 1824 passed; but that fact affords no reason, in my judgment, for endangering its security and sacrificing its hopes, by overthrowing what has since been established for its protection.

Let us look, Gentlemen, to the condition of other countries, and inquire a little into the causes, which, in some of them, produce poverty and distress, the lamentations of which reach our own shores. I see around me many whom I know to be emigrants from other countries. Why are they here? Why is the native of Ireland among us? Why has he abandoned scenes as dear to him as these hills and these rivers are to you? Is there any other cause than this, that the burden of taxation on the one hand, and the low reward of labor on the other, left him without the means of a comfortable subsistence, or the power of providing for those who were dependent upon him? Was it not on this account that he left his own land, and sought an asylum in a country of free laws, of comparative exemption from taxation, of boundless extent, and in which the means of living

are cheap, and the prices of labor just and adequate? And do not these remarks apply, with more or less accuracy, to every other part of Europe? Is it not true, that sobriety, and industry, and good character can do more for a man here than in any other part of the world? And is not this truth, which is so obvious that none can deny it, founded in this plain reason, that labor in this country earns a better reward than any where else, and so gives more comfort, more individual independence, and more elevation of character? Whatever else may benefit particular portions of society, whatever else may assist capital, whatever else may favor sharpsighted commercial enterprise, professional skill, or extraordinary individual sagacity, or good fortune, be assured, Gentlemen, that nothing can advance the mass of society in prosperity and happiness, nothing can uphold the substantial interest and steadily improve the general condition and character of the whole, but this one thing, *compensating rewards to labor.* The fortunate situation of our country tends strongly, of itself, to produce this result; the government has adopted the policy of coöperating with this natural tendency of things; it has encouraged and fostered labor and industry, by a system of discriminating duties; and the result of these combined causes may be seen in the present circumstances of the country.

Gentlemen, there are important considerations of another kind connected with this subject. Our government is popular; popular in its foundation, and popular in its exercise. The actual character of the government can never be better than the general moral and intellectual character of the community. It would be the wildest of human imaginations, to expect a poor, vicious, and ignorant people to maintain a good popular government. Education and knowledge, which, as is obvious, can be generally attained by the people only where there are adequate rewards to labor and industry, and some share in the public interest, some stake in the community, would seem indispensably necessary in those who have the power of appointing all public agents, passing all laws, and even of making and unmaking constitutions at their pleasure. Hence the truth of the trite

maxim, that knowledge and virtue are the only foundation of republics. But it is to be added, and to be always remembered, that there never was, and never can be, an intelligent and virtuous people who at the same time are a poor and idle people, badly employed and badly paid. Who would be safe in any community, where political power is in the hands of the many and property in the hands of the few? Indeed, such an unnatural state of things could nowhere long exist.

It certainly appears to me, Gentlemen, to be quite evident at this time, and in the present condition of the world, that it is necessary to protect the industry of this country against the pauper labor of England and other parts of Europe. An American citizen, who has children to maintain and children to *educate*, has an unequal chance against the pauper labor of England, whose children are not to be educated, and are probably already on the parish, and who himself is half fed and clothed by his own labor, and half from the poor rates, and very badly fed and clothed after all. As I have already said, the condition of our country of itself, without the aid of government, does much to favor American manual labor; and it is a question of policy and justice, at all times, what and how much government shall do in aid of natural advantages. In regard to some branches of industry, the natural advantages are less considerable than in regard to others; and those, therefore, more imperiously demand the regard of government. Such are the occupations, generally speaking, of the numerous classes of citizens in cities and large towns; the workers in leather, brass, tin, iron, &c.; and such, too, under most circumstances, are the employments connected with ship building.

Our own experience has been a powerful, and ought to be a convincing and long-remembered, preacher on this point. From the close of the war of the Revolution, there came on a period of depression and distress, on the Atlantic coast, such as the people had hardly felt during the sharpest crisis of the war itself. Ship owners, ship builders, mechanics, artisans, all were destitute of employment, and some of them destitute of bread. British ships came freely, and British

goods came plentifully; while to American ships and American products there was neither protection on the one side, nor the equivalent of reciprocal free trade on the other. The cheaper labor of England supplied the inhabitants of the Atlantic shores with every thing. Ready-made clothes, among the rest, from the crown of the head to the soles of the feet, were for sale in every city. All these things came free from any general system of imposts. Some of the States attempted to establish their own partial systems, but they failed. Voluntary association was resorted to, but that failed also. A memorable instance of this mode of attempting protection occurred in Boston. The ship owners, seeing that British vessels came and went freely, while their own ships were rotting at the wharves, raised a committee to address the people, recommending to them, in the strongest manner, not to buy or use any articles imported in British ships. The chairman of this committee was no less distinguished a character than the immortal John Hancock. The committee performed its duty powerfully and eloquently. It set forth strong and persuasive reasons why the people should not buy or use British goods imported in British ships. The ship owners and merchants having thus proceeded, the mechanics of Boston took up the subject also. They answered the merchants' committee. They agreed with them cordially, that British goods, imported in British vessels, ought not to be bought or consumed; but then they took the liberty of going a step farther, and of insisting *that such goods ought not to be bought or consumed at all.* (Great applause.) "For," said they, "Mr. Hancock, what difference does it make to us, whether hats, shoes, boots, shirts, handkerchiefs, tin ware, brass ware, cutlery, and every other article, come in British ships or come in your ships; since, in whatever ships they come, they take away our means of living?"

Gentlemen, it is an historical truth, manifested in a thousand ways by the public proceedings and public meetings of the times, that the necessity of a general and uniform impost system, which, while it should provide revenue to pay the public debt, and foster the commerce of the country,

should also encourage and sustain domestic manufactures, was the leading cause in producing the present national Constitution. No class of persons was more zealous for the new Constitution, than the handicraftsmen, artisans, and manufacturers. There were then, it is true, no large manufacturing establishments. There were no manufactories in the interior, for there were no inhabitants. Here was Fort Pitt, — it had a place on the map, — but here were no people, or only a very few. But in the cities and towns on the Atlantic, the full importance, indeed the absolute necessity, of a new form of government and a general system of imposts was deeply felt.

It so happened, Gentlemen, that at that time much was thought to depend on Massachusetts; several States had already agreed to the Constitution; if her convention adopted it, it was likely to go into operation. This gave to the proceedings of that convention an intense interest, and the country looked with trembling anxiety for the result. That result was for a long time doubtful. The convention was known to be almost equally divided; and down to the very day and hour of the final vote, no one could predict, with any certainty, which side would preponderate. It was under these circumstances, and at this crisis, that the tradesmen of the town of Boston, in January, 1788, assembled at the Green Dragon tavern, the place where the Whigs of the Revolution, in its early stages, had been accustomed to assemble. They resolved, that, in their opinion, if the Constitution should be adopted, "trade and navigation would revive and increase, and employ and subsistence be afforded to many of their townsmen, then suffering for the want of the necessaries of life;" and that, on the other hand, should it be rejected, "the small remains of commerce yet left would be annihilated; the various trades and handicrafts dependent thereon decay; the poor be increased, and many worthy and skilful mechanics compelled to seek employ and subsistence in strange lands." These resolutions were carried to the Boston delegates in the convention, and placed in the hands of Samuel Adams. That great and distinguished friend of American liberty, it was feared, might

have doubts about the new Constitution. Naturally cautious and sagacious, it was apprehended he might fear the practicability, or the safety, of a general government. He received the resolutions from the hands of Paul Revere, a brass founder by occupation, a man of sense and character, and of high public spirit, whom the mechanics of Boston ought never to forget. "How many mechanics," said Mr. Adams, "were at the Green Dragon when these resolutions were passed?" "More, Sir," was the reply, "than the Green Dragon could hold." "And where were the rest, Mr. Revere?" "In the streets, Sir." "And how many were in the streets?" "More, Sir, than there are stars in the sky." This is an instance only, among many, to prove, what is indisputably true, that the tradesmen and mechanics of the country did look to the new Constitution for encouragement and protection in their respective occupations. Under these circumstances, it is not to be expected that they will abandon the principle, in its application to their own employments, any more than in its application to the commercial and shipping interests. They believe the power is in the Constitution; and doubtless they mean, so far as depends on them, to keep it there. Desirous of no extravagant measure of protection, desirous of oppressing or burdening nobody, seeking nothing as a substitute for honest industry and hard work, as a part of the American family, having the same interests as other parts, they will continue their attachment to the Union and the Constitution, and to all the great and leading interests of the country.

Gentlemen, your worthy Mayor has alluded to the subject of internal improvements. Having no doubt of the power of the general government over various objects comprehended under that name, I confess I have felt great pleasure in forwarding them, to the extent of my ability, by means of reasonable aid from the government. It has seemed strange to me, that, in the progress of human knowledge and human virtue, (for I have no doubt that both are making progress,) the efforts of government should so long have been principally confined to external affairs, and to the enactment of the general laws, without considering how

much may be done by government, which cannot be done without it, for the improvement of the condition of the people. There are many objects, of great value to man, which cannot be attained by unconnected individuals, but must be attained, if at all, by association. For many of them government seems the most natural and the most efficient association. Voluntary association has done much, but it cannot do all. To the great honor and advantage of your own State, she has been forward in applying the agency of government to great objects of internal utility. But even States cannot do every thing. There are some things which belong to all the States; and, if done at all, must be done by all the States. At the conclusion of the late war, it appeared to me that the time had come for the government to turn its attention inward; to survey the condition of the country, and particularly the vast Western country; to take a comprehensive view of the whole; and to adopt a liberal system of internal improvements. There are objects not naturally within the sphere of any one State, which yet seemed of great importance, as calculated to unite the different parts of the country, to open a better and shorter way between the producer and consumer, to promise the highest advantage to government itself, in any exigency. It is true, Gentlemen, that the local theatre for such improvement is not mainly in the East. The East is old, pretty fully peopled, and small. The West is new, vast, and thinly peopled. Our rivers can be measured; yours cannot. We are bounded; you are boundless. The West was, therefore, most deeply interested in this system, though certainly not alone interested, even in such works as had a Western locality. To clear her rivers was to open them for the commerce of the whole country; to construct harbors, and clear entrances to existing harbors, whether on the Gulf of Mexico or on the Lakes, was for the advantage of that whole commerce. And if this were not so, he is but a poor public man whose patriotism is governed by the cardinal points; who is for or against a proposed measure, according to its indication by compass, or as it may happen to tend farther from, or come nearer to, his own immediate connections.

And look at the West; look at these rivers; look at the Lakes; look especially at Lake Erie, and see what a moderate expenditure has done for the safety of human life, and the preservation of property, in the navigation of that lake; and done, let me add, in the face of a fixed and ardent opposition.

I rejoice, sincerely, Gentlemen, in the general progress of internal improvement, and in the completion of so many objects near you, and connected with your prosperity. Your own canal and railroad unite you with the Atlantic. Near you is the Ohio Canal, which does so much credit to a younger State, and with which your city will doubtless one day have a direct connection. On the south and east approaches the Baltimore and Ohio Railroad, a great and spirited enterprise, which I always thought entitled to the aid of government, and a branch of which, it may be hoped, will yet reach the head of the Ohio.

I will only add, Gentlemen, that for what I have done in the cause of internal improvement I claim no particular merit, having only acted with others, and discharged, conscientiously and fairly, what I regarded as my duty to the whole country.

Gentlemen, the Mayor has spoken of the importance and necessity of education. And can any one doubt, that to man, as a social and an immortal being, as interested in the world that is, and infinitely more concerned for that which is to be, education, that is to say, the culture of the mind and the heart, is an object of infinite importance? So far as we can trace the designs of Providence, the formation of the mind and character, by instruction in knowledge, and instruction in righteousness, is a main end of human being. Among the new impulses which society has received, none is more gratifying than the awakened attention to public education. That object begins to exhibit itself to the minds of men in its just magnitude, and to possess its due share of regard. It is but in a limited degree, and indirectly only, that the powers of the general government have been exercised in the promotion of this object. So far as these powers extend, I have concurred in their exercise with great

pleasure. The Western States, from the recency of their settlement, from the great proportion of their population which are children, and from other circumstances which must, in all new countries, more or less curtail individual means, have appeared to me to have peculiar claims to regard; and in all cases where I have thought the power clear, I have most heartily concurred in measures designed for their benefit, in this respect. And amidst all our efforts for education, literary, moral, or religious, be it always remembered that we leave opinion and conscience free. Heaven grant that it may be the glory of the United States to have established two great truths, of the highest importance to the whole human race; first, that an enlightened community *is* capable of self-government; and, second, that the toleration of all sects does *not* necessarily produce indifference to religion.

But I have already detained you too long. My friends, fellow-citizens, and countrymen, I take a respectful leave of you. The time I have passed on this side the Alleghanies has been a succession of happy days. I have seen much to instruct and much to delight me. I return you, again and again, my unfeigned thanks for the frankness and hospitality with which you have made me welcome; and wherever I may go, or wherever I may be, I pray you to believe I shall not lose the recollection of your kindness.

THE PRESIDENTIAL PROTEST.

Speech delivered in the Senate of the United States, on the 7th of May, 1834, on the President's Protest.

On the 28th of March, 1834, the Senate adopted a resolution, declaring that "in the late executive proceedings in relation to the public revenue, the President had assumed a power not conferred by the Constitution and Laws, but in derogation of both." On the 17th of April, a Protest against this resolution was sent to the Senate, by the President of the United States, with a request that it should "be entered at length on the journals of the Senate."

Mr. President, — I feel the magnitude of this question. We are coming to a vote which cannot fail to produce im-

portant effects on the character of the Senate and the character of the government.

Unhappily, Sir, the Senate finds itself involved in a controversy with the President of the United States; a man who has rendered most distinguished services to his country, who has hitherto possessed a degree of popular favor perhaps never exceeded, and whose honesty of motive and integrity of purpose are still admitted by those who maintain that his administration has fallen into lamentable errors.

On some of the interesting questions in regard to which the President and Senate hold opposite opinions, the more popular branch of the legislature concurs with the executive. It is not to be concealed that the Senate is engaged against imposing odds. It can sustain itself only by its own prudence and the justice of its cause. It has no patronage by which to secure friends; it can raise up no advocates through the dispensation of favors, for it has no favors to dispense. Its very constitution, as a body whose members are elected for a long term, is capable of being rendered obnoxious, and is daily made the subject of opprobrious remark. It is already denounced as independent of the people, and aristocratic. Nor is it, like the other house, powerful in its numbers; not being, like that, so large as that its members come constantly in direct and extensive contact with the whole people. Under these disadvantages, Sir, which, we may be assured, will be pressed and urged to the utmost length, there is but one course for us. The Senate must stand on its rendered reasons. It must put forth the grounds of its proceedings, and it must then rely on the intelligence and patriotism of the people to carry it through the contest.

As an individual member of the Senate, it gives me great pain to be engaged in such a conflict with the executive government. The occurrences of the last session are fresh in the recollection of all of us; and having felt it to be my duty, at that time, to give my cordial support to highly important measures of the administration, I ardently hoped that nothing might occur to place me afterwards in an attitude of opposition. In all respects, and in every way, it

would have been far more agreeable to me to find nothing in the measures of the executive government which I could not cheerfully support. The present occasion of difference has not been sought or made by me. It is thrust upon me, in opposition to strong opinions and wishes, on my part not concealed. The interference with the public deposits dispelled all hope of continued concurrence with the administration, and was a measure so uncalled for, so unnecessary, and, in my judgment, so illegal and indefensible, that, with whatever reluctance it might be opposed by me, opposition was unavoidable.

The paper before us has grown out of this interference. It is a paper which cannot be treated with indifference. The doctrines which it advances, the circumstances which have attended its transmission to the Senate, and the manner in which the Senate may now dispose of it, will form a memorable era in the history of the government. We are either to enter it on our journals, concur in its sentiments, and submit to its rebuke, or we must answer it, with the respect due to the chief magistrate, but with such animadversion on its doctrines as they deserve, and with the firmness imposed upon us by our public duties.

I shall proceed, then, Sir, to consider the circumstances which gave rise to this Protest; to examine the principles which it attempts to establish; and to compare those principles with the Constitution and the laws.

On the 28th day of March, the Senate adopted a resolution declaring that, "in the late executive proceedings in relation to the public revenue, the President had assumed a power not conferred by the Constitution and laws, but in derogation of both." In that resolution I concurred.

It is not a direct question, now again before us, whether the President really had assumed such illegal power; that point is decided, so far as the Senate ever can decide it. But the Protest denies that, supposing the President to have assumed such illegal power, the Senate could properly pass the resolution; or, what is the same thing, it denies that the Senate could, in this way, express any opinion about it. It denies that the Senate has any right, by resolution, in this

or any other case, to express disapprobation of the President's conduct, let that conduct be what it may; and this, one of the leading doctrines of the Protest, I propose to consider. But as I concurred in the resolution of the 28th of March, and did not trouble the Senate, at that time, with any statement of my own reasons, I will avail myself of this opportunity to explain, shortly, what those reasons were.

In the first place, then, I have to say, that I did not vote for the resolution on the mere ground of the removal of Mr. Duane from the office of Secretary of the Treasury. Although I disapprove of the removal altogether, yet the power of removal does exist in the President, according to the established construction of the Constitution; and therefore, although in a particular case it may be abused, and, in my opinion, was abused in this case, yet its exercise cannot be justly said to be an assumption or usurpation. We must all agree that Mr. Duane is out of office. He has, therefore been removed by a power constitutionally competent to remove him, whatever may be thought of the exercise of that power under the circumstances of the case.

If, then, the act of removing the Secretary be not the assumption of power which the resolution declares, in what is that assumption found? Before giving a precise answer to this inquiry, allow me to recur to some of the principal previous events.

At the end of the last session of Congress, the public moneys of the United States were still in their proper place. That place was fixed by the law of the land, and no power of change was conferred on any other human being than the Secretary of the Treasury. On him the power of change was conferred, to be exercised by himself, if emergency should arise, and to be exercised for reasons which he was bound to lay before Congress. No other officer of the government had the slightest pretence of authority to lay his hand on these moneys for the purpose of changing the place of their custody. All the other heads of departments together could not touch them. The President could not touch them. The power of change was a trust confided to

the discretion of the Secretary, and to his discretion alone. The President had no more authority to take upon himself this duty, thus assigned expressly by law to the Secretary, than he had to make the annual report to Congress, or the annual commercial statements, or to perform any other service which the law specially requires of the Secretary. He might just as well sign the warrants for moneys, in the ordinary daily disbursements of government, instead of the Secretary. The statute had assigned the especial duty of removing the deposits, if removed at all, to the Secretary of the Treasury, and to him alone. The consideration of the propriety or necessity of removal must be the consideration of the Secretary; the decision to remove, his decision; and the act of removal, his act.

Now, Sir, on the 18th day of September last, a resolution was taken to remove these deposits from their legislative, that is to say, their legal custody. *Whose resolution was this?* On the 1st of October, they were removed. *By whose power was this done?* The papers necessary to accomplish the removal (that is, the orders and drafts) are, it is true, signed by the Secretary. The President's name is not subscribed to them; nor does the Secretary, in any of them, recite or declare that he does the act by direction of the President, or on the President's responsibility. In form, the whole proceeding is the proceeding of the Secretary, and, as such, had the legal effect. The deposits were removed. But whose act was it, in truth and reality? Whose will accomplished it? On whose responsibility was it adopted?

These questions are all explicitly answered by the President himself, in the paper, under his own hand, read to the Cabinet, on the 18th of September, and published by his authority. In this paper the President declares, in so many words, that he begs his Cabinet to consider the proposed measure as his own; that its responsibility has been assumed by him; and that he names the first day of October as a period proper for its execution.

Now, Sir, it is precisely this which I deem an assumption of power not conferred by the Constitution and laws. I

think the law did not give this authority to the President, nor impose on him the responsibility of its exercise. It is evident that, in this removal, the Secretary was in reality nothing but the scribe; he was the pen in the President's hand, and no more. Nothing depended on his discretion, his judgment, or his responsibility. The removal, indeed, has been admitted and defended in the Senate, as the direct act of the President himself. This, Sir, is what I call assumption of power. If the President had issued an order for the removal of the deposits in his own name, and under his own hand, it would have been an illegal order, and the bank would not have been at liberty to obey it. For the same reason, if the Secretary's order had recited that it was issued by the President's direction, and on the President's authority, it would have shown on its face that it was illegal and invalid. No one can doubt that. The act of removal, to be lawful, must be the *bona fide* act of the Secretary; *his* judgment, the result of *his* deliberations, the volition of *his* mind. All are able to see the difference between the power to remove the Secretary from office, and the power to control him, in all or any of his duties, while in office. The law charges the officer, whoever he may be, with the performance of certain duties. The President, with the consent of the Senate, appoints an individual to be such officer; and this individual he may remove, if he so please; but, until removed, he is the officer, and remains charged with the duties of his station, duties which nobody else can perform, and for the neglect or violation of which he is liable to be impeached.

The distinction is visible and broad between the power of removal and the power to control an officer not removed. The President, it is true, may terminate his political life; but he cannot control his powers and functions, and act upon him as a mere machine, while he is allowed to live. The power of control and direction, nowhere given, certainly, by any express provision of the Constitution or laws, is derived, by those who maintain it, from the right of removal; that is to say, it is a constructive power; it has no express warrant in the Constitution. A very important power, then,

is raised by construction in the first place; and being thus raised, it becomes a fountain out of which other important powers, raised also by construction, are to be supplied. There is no little danger that such a mode of reasoning may be carried too far. It cannot be maintained that the power of direct control necessarily flows from the power of removal. Suppose it had been decided in 1789, when the question was debated, that the President does not possess the power of removal; will it be contended, that, in that case, his right of interference with the acts and duties of executive officers would be less than it now is? The reason of the thing would seem to be the other way. If the President may remove an incumbent when he becomes satisfied of his unfaithfulness and incapacity, there would appear to be less necessity to give him also a right of control, than there would be if he could not remove him.

We may try this question by supposing it to arise in a judicial proceeding. If the Secretary of the Treasury were impeached for removing the deposits, could he justify himself by saying that he did it by the President's direction? If he could, then no executive officer could ever be impeached, who obeys the President; and the whole notion of making such officers impeachable at all would be farcical. If he could not so justify himself, (and all will allow he could not,) the reason can only be that the act of removal is his own act; the power, a power confided to him, for the just exercise of which the law looks to his discretion, his honesty, and his direct responsibility.

Now, Sir, the President wishes the world to understand that he himself decided on the question of the removal of the deposits; that he took the whole responsibility of the measure upon himself; that he wished it to be considered *his own act;* that he not only himself decided that the thing should be done, but regulated its details also, and named the day for carrying it into effect.

I have always entertained a very erroneous view of the partition of powers, and of the true nature of official responsibility under our Constitution, if this be not a plain case of the assumption of power.

The legislature had fixed a place, by law, for the keeping of the public money. They had, at the same time and by the same law, created and conferred a power of removal, to be exercised contingently. This power they had vested in the Secretary, by express words. The law did not say that the deposits should be made in the bank, unless the President should order otherwise; but it did say that they should be made there, unless the Secretary of the Treasury should order otherwise. I put it to the plain sense and common candor of all men, whether the discretion thus to be exercised over the subject was not the Secretary's own personal discretion; and whether, therefore, the interposition of the authority of another, acting directly and conclusively on the subject, deciding the whole question, even in its particulars and details, be not an assumption of power?

The Senate regarded this interposition as an encroachment by the executive on other branches of the government; as an interference with the legislative disposition of the public treasure. It was strongly and forcibly urged, yesterday, by the honorable member from South Carolina, that the true and only mode of preserving any balance of power, in mixed governments, is to keep an exact balance. This is very true, and to this end encroachment must be resisted at the first step. The question is, therefore, whether, upon the true principles of the Constitution, this exercise of power by the President can be justified. Whether the consequences be prejudicial or not, if there be an illegal exercise of power, it is to be resisted in the proper manner. Even if no harm or inconvenience result from transgressing the boundary, the intrusion is not to be suffered to pass unnoticed. Every encroachment, great or small, is important enough to awaken the attention of those who are intrusted with the preservation of a constitutional government. We are not to wait till great public mischiefs come, till the government is overthrown, or liberty itself put into extreme jeopardy. We should not be worthy sons of our fathers were we so to regard great questions affecting the general freedom. Those fathers accomplished the Revolution on a strict question of principle. The Parliament of

Great Britain asserted a right to tax the Colonies in all cases whatsoever; and it was precisely on this question that they made the Revolution turn. The amount of taxation was trifling, but the claim itself was inconsistent with liberty; and that was, in their eyes, enough. It was against the recital of an act of Parliament, rather than against any suffering under its enactments, that they took up arms. They went to war against a preamble. They fought seven years against a declaration. They poured out their treasures and their blood like water, in a contest against an assertion which those less sagacious and not so well schooled in the principles of civil liberty would have regarded as barren phraseology, or mere parade of words. They saw in the claim of the British Parliament a seminal principle of mischief, the germ of unjust power; they detected it, dragged it forth from underneath its plausible disguises, struck at it; nor did it elude either their steady eye or their well-directed blow till they had extirpated and destroyed it, to the smallest fibre. On this question of principle, while actual suffering was yet afar off, they raised their flag against a power, to which, for purposes of foreign conquest and subjugation, Rome, in the height of her glory, is not to be compared; a power which has dotted over the surface of the whole globe with her possessions and military posts, whose morning drum beat, following the sun, and keeping company with the hours, circles the earth with one continuous and unbroken strain of the martial airs of England.

The necessity of holding strictly to the principle upon which free governments are constructed, and to those precise lines which fix the partitions of power between different branches, is as plain, if not as cogent, as that of resisting, as our fathers did, the strides of the parent country against the rights of the Colonies; because, whether the power which exceeds its just limits be foreign or domestic, whether it be the encroachment of all branches on the rights of the people, or that of one branch on the rights of others, in either case the balanced and well-adjusted machinery of free government is disturbed, and, if the derangement go on, the whole system must fall.

Mr. President, the executive claim of power is exactly this, that the President may keep the money of the public in whatever banks he chooses, on whatever terms he chooses, and apply the sums which these banks are willing to pay for its use to whatever purposes he chooses. These sums are not to come into the general treasury. They are to be appropriated before they get there; they are never to be brought under the control of Congress; they are to be paid to officers and agents not known to the law, not nominated to the Senate, and responsible to nobody but the executive itself. I ask gentlemen if all this be lawful. Are they prepared to defend it? Will they stand up and justify it? In my opinion, Sir, it is a clear and most dangerous assumption of power. It is the creation of office without law; the appointment to office without consulting the Senate; the establishment of a salary without law; and the payment of that salary out of a fund which itself is derived from the use of the public treasures. This, Sir, is my other reason for concurring in the vote of the 28th of March; and on these grounds I leave the propriety of that vote, so far as I am concerned with it, to be judged of by the country.

But, Sir, the President denies the power of the Senate to pass any such resolution, on any ground whatever. Suppose the declaration contained in the resolution to be true; suppose the President had, in fact, assumed powers not granted to him; does the Senate possess the right to declare its opinion, affirming this fact, or does it not? I maintain that the Senate does possess such a power; the President denies it.

Mr. President, we need not look far, nor search deep, for the foundation of this right in the Senate. It is close at hand, and clearly visible. In the first place, it is the right of self-defence. In the second place, it is a right founded on the duty of representative bodies, in a free government, to defend the public liberty against encroachment. We must presume that the Senate honestly entertained the opinion expressed in the resolution of the 28th of March; and, entertaining that opinion, its right to express it is but the necessary consequence of its right to defend its own consti-

tutional authority, as one branch of the government. This is its clear right, and this, too, is its imperative duty.

I know not who wrote this Protest, but I confess I am astonished, truly astonished, as well at the want of knowledge which it displays of constitutional law, as at the high and dangerous pretensions which it puts forth. Neither branch of the legislature can express censure upon the President's conduct! Suppose, Sir, that we should see him enlisting troops and raising an army, can we say nothing, and do nothing? Suppose he were to declare war against a foreign power, and put the army and the fleet in action; are we still to be silent? Suppose we should see him borrowing money on the credit of the United States; are we yet to wait for impeachment? Indeed, Sir, in regard to this borrowing money on the credit of the United States, I wish to call the attention of the Senate, not only to what might happen, but to what has actually happened. We are informed that the Post Office Department, a department over which the President claims the same control as over the rest, *has actually borrowed near half a million of money on the credit of the United States.*

Mr. President, the first power granted to Congress by the Constitution is the power to lay taxes; the second, the power to borrow money on the credit of the United States. Now, Sir, where does the executive find its authority, in or through any department, to borrow money without authority of Congress? This proceeding appears to me wholly illegal, and reprehensible in a very high degree. It may be said that it is not true that this money is borrowed on the credit of the United States, but that it is borrowed on the credit of the Post Office Department. But that would be mere evasion. The department is but a name. It is an office, and nothing more. The banks have not lent this money to any officer. If Congress should abolish the whole department to-morrow, would the banks not expect the United States to replace this borrowed money? The money, then, is borrowed on the credit of the United States, an act which Congress alone is competent to authorize. If the Post Office Department may borrow money, so may the

War Department and the Navy Department. If half a million may be borrowed, ten millions may be borrowed. What, then, if this transaction shall be justified, is to hinder the executive from borrowing money to maintain fleets and armies, or for any other purpose, at his pleasure, without any authority of law? Yet even this, according to the doctrine of the Protest, we have no right to complain of.

The Protest declares that the President is *charged with a crime, and, without hearing or trial, found guilty and condemned.* This is evidently an attempt to appeal to popular feeling, and to represent the President as unjustly treated and unfairly tried. Sir, it is a false appeal. The President has not been tried at all; he has not been accused; he has not been charged with crime; he has not been condemned. Accusation, trial, and sentence are terms belonging to judicial proceedings. But the Senate has been engaged in no such proceeding. The resolution of the 28th of March was not an exercise of judicial power, either in form, in substance, or in intent. Every body knows that the Senate can exercise no judicial power until articles of impeachment are brought before it. It is then to proceed, by accusation and answer, hearing, trial, and judgment. But there has been no impeachment, no answer, no hearing, no judgment. All that the Senate did was to pass a resolution, in legislative form, declaring its opinion of certain acts of the executive. This resolution imputed no crime; it charged no corrupt motive; it proposed no punishment. It was directed, not against the President personally, but against the act; and that act it declared to be, in its judgment, an assumption of authority not warranted by the Constitution.

It is in vain that the Protest attempts to shift the resolution to the judicial character of the Senate. The case is too plain for such an argument to be plausible. But, in order to lay some foundation for it, the Protest, as I have already said, contends that neither the Senate nor the House of Representatives can express its opinions on the conduct of the President, except in some form connected with impeachment; so that if the power of impeachment did not exist, these two houses, though they be representative bodies,

though one of them be filled by the immediate representatives of the people, though they be constituted like other popular and representative bodies, could not utter a syllable, although they saw the executive either trampling on their own rights and privileges, or grasping at absolute authority and dominion over the liberties of the country! Sir, I hardly know how to speak of such claims of impunity for executive encroachment. I am amazed that any American citizen should draw up a paper containing such lofty pretensions; pretensions which would have been met with scorn in England, at any time since the Revolution of 1688. A man who should stand up, in either house of the British Parliament, to maintain that the house could not, by vote or resolution, maintain its own rights and privileges, would make even the Tory benches hang their heads for very shame.

There was, indeed, a time when such proceedings were not allowed. Some of the kings of the Stuart race would not tolerate them. A signal instance of royal displeasure with the proceedings of Parliament occurred in the latter part of the reign of James the First. The House of Commons had spoken, on some occasion, "of its own undoubted rights and privileges." The king thereupon sent them a letter, declaring that *he would not allow that they had any undoubted rights; but that what they enjoyed they might still hold by his own royal grace and permission.* Sir Edward Coke and Mr. Granville were not satisfied with this title to their privileges; and, under their lead, the house entered on its journals a resolution asserting its privileges, *as its own undoubted right*, and manifesting a determination to maintain them as such. This, says the historian, so enraged his Majesty, that he sent for the journal, had it brought into the Council, and there, in the presence of his lords and great officers of state, tore out the offensive resolution with his own royal hand. He then dissolved Parliament, and sent its most refractory members to the Tower. I have no fear, certainly, Sir, that this English example will be followed, on this occasion, to its full extent; nor would I insinuate that any thing outrageous has been thought of, or intended, except outrageous pretensions; but such pretensions I must

impute to the author of this Protest, whoever that author may be.

When this and the other house shall lose the freedom of speech and debate; when they shall surrender the rights of publicly and freely canvassing all important measures of the executive; when they shall not be allowed to maintain their own authority and their own privileges by vote, declaration, or resolution, — they will then be no longer free representatives of a free people, but slaves themselves, and fit instruments to make slaves of others.

The Protest, Mr. President, concedes what it doubtless regards as a liberal right of discussion to the people themselves. But its language, even in acknowledging this right of the *people* to discuss the conduct of their servants, is qualified and peculiar. The free people of the United States, it declares, have an undoubted right to discuss the official conduct of the President in such language and form as they may think proper, "subject only to the restraints of truth and justice." But, then, who is to be judge of this truth and justice? Are the people to judge for themselves, or are others to judge for them? The Protest is here speaking of *political* rights, and not moral rights; and if restraints are imposed on *political* rights, it must follow, of course, that others are to decide whenever the case arises whether these restraints have been violated. It is strange that the writer of the Protest did not perceive that, by using this language, he was pushing the President into a direct avowal of the doctrines of 1798. The text of the Protest and the text of the obnoxious act * of that year are nearly identical.

In asserting power for an American President, I prefer that he should attempt to maintain his assertions on American reasons. I know not, Sir, who the writer was, (I wish I did;) but whoever he was, it is manifest that he argues this part of his case, throughout, on the principles of the constitution of England. It is true, that, in England, the king is regarded as the original fountain of all honor and

* Commonly called the Sedition Act, approved 14th July, 1798.

all office; and that anciently, indeed, he possessed all political power of every kind. It is true that this mass of authority, in the progress of that government, has been diminished, restrained, and controlled, by charters, by immunities, by grants, and by various modifications, which the friends of liberty have, at different periods, been able to obtain or to impose. All liberty, as we know, all popular privileges, as indeed the word itself imports, were formerly considered as favors and concessions from the monarch. But whenever and wherever civil freedom could get a foothold, and could maintain itself, these favors were turned into rights. Before and during the reigns of the princes of the Stuart family, they were acknowledged only as favors or privileges graciously allowed, although even then, whenever opportunity offered, as in the instance to which I alluded just now, they were contended for as rights; and by the Revolution of 1688 they were acknowledged as the rights of Englishmen, by the prince who then ascended the throne, and as the condition on which he was allowed to sit upon it. But with us there never was a time when we acknowledged original, unrestrained, sovereign power over us. Our constitutions are not made to limit and restrain preëxisting authority. They are the instruments by which the people confer power on their own servants. If I may use a legal phrase, the people are grantors, not grantees. They give to the government, and to each branch of it, all the power it possesses, or can possess; and what is not given they retain. In England, before her revolution, and in the rest of Europe since, if we would know the extent of liberty or popular right, we must go to grants, to charters, to allowances, and indulgences. But with us, we go to grants and to constitutions to learn the extent of the powers of government. No political power is more original than the Constitution; none is possessed which is not there granted; and the grant, and the limitations in the grant, are in the same instrument.

The powers, therefore, belonging to any branch of our government, are to be construed and settled, not by remote analogies drawn from other governments, but from the

words of the grant itself, in their plain sense and necessary import, and according to an interpretation consistent with our own history and the spirit of our own institutions. I will never agree that a President of the United States holds the whole undivided power of office in his own hands, upon the theory that he is responsible for the entire action of the whole body of those engaged in carrying on the government and executing the laws. Such a responsibility is purely ideal, delusive, and vain. There is, there can be, no substantial responsibility, any further than every individual is answerable, not merely in his reputation, not merely in the opinion of mankind, but *to the law*, for the faithful discharge of his own appropriate duties. Again and again we hear it said that the President is responsible to the American people! that he is responsible to the bar of public opinion! For whatever he does, he assumes accountability to the American people! For whatever he omits, he expects to be brought to the high bar of public opinion! And this is thought enough for a limited, restrained, republican government! an undefined, undefinable, ideal responsibility to the public judgment!

Sir, if all this mean any thing, if it be not empty sound, it means no less than that the President may do any thing and every thing which he may expect to be tolerated in doing. He may go just so far as he thinks it safe to go; and Cromwell and Bonaparte went no farther. I ask again, Sir, Is this legal responsibility? Is this the true nature of a government with written laws and limited powers? And allow me, Sir, to ask, too, if an executive magistrate, while professing to act under the Constitution, is restrained only by this responsibility to public opinion, what prevents him, on the same responsibility, from proposing a change in that Constitution? Why may he not say, "I am about to introduce new forms, new principles, and a new spirit; I am about to try a political experiment on a great scale; and when I get through with it, I shall be responsible to the American people, I shall be answerable to the bar of public opinion"?

Connected, Sir, with the idea of this airy and unreal

responsibility to the public is another sentiment, which of late we hear frequently expressed; and that is, *that the President is the direct representative of the American people.* This is declared in the Protest in so many words. "The President," it says, "*is the direct representative of the American people.*" Now, Sir, this is not the language of the Constitution. The Constitution nowhere calls him the representative of the American people; still less, their direct representative. It could not do so with the least propriety. He is not chosen directly by the people, but by a body of electors, some of whom are chosen by the people, and some of whom are appointed by the State legislatures. Where, then, is the authority for saying that the President is the *direct representative of the people?* The Constitution calls the members of the other house Representatives, and declares that they shall be chosen by the people; and there are no other direct or immediate representatives of the people in this government. The Constitution denominates the President simply the President of the United States; it points out the complex mode of electing him, defines his powers and duties, and imposes limits and restraints on his authority. With these powers and duties, and under these restraints, he becomes, when chosen, President of the United States. That is his character, and the denomination of his office. How is it, then, that, on this official character, thus cautiously created, limited, and defined, he is to ingraft another and a very imposing character, namely, the character *of the direct representative of the American people?* I hold this, Sir, to be mere assumption, and dangerous assumption. If he is the representative of *all* the American people, he is the only representative which they all have. Nobody else presumes to represent all the people. And if he may be allowed to consider himself as the SOLE REPRESENTATIVE OF ALL THE AMERICAN PEOPLE, and is to act under no other responsibility than such as I have already described, then I say, Sir, that the government (I will not say the people) has already a master. I deny the sentiment, therefore, and I protest against the language; neither the sentiment nor the language is to be found in the

Constitution of the country; and whoever is not satisfied to describe the powers of the President in the language of the Constitution may be justly suspected of being as little satisfied with the powers themselves. The President is President. His office and his name of office are known, and both are fixed and described by law. Being commander of the army and navy, holding the power of nominating to office and removing from office, and being by these powers the fountain of all patronage and all favor, what does he not become if he be allowed to superadd to all this the character of single representative of the American people? Sir, he becomes what America has not been accustomed to see, what this Constitution has never created, and what I cannot contemplate but with profound alarm. He who may call himself the single representative of a nation, may speak in the name of the nation, may undertake to wield the power of the nation; and who shall gainsay him in whatsoever he chooses to pronounce to be the nation's will?

I will now, Sir, ask leave to recapitulate the general doctrines of this Protest, and to present them together. They are, —

That neither branch of the legislature can take up, or consider, for the purpose of censure, any official act of the President, without some view to legislation or impeachment;

That not only the passage, but the discussion, of the resolution of the Senate of the 28th of March, was unauthorized by the Constitution, and repugnant to its provisions;

That the custody of the public treasury always must be intrusted to the executive; that Congress cannot take it out of his hands, nor place it any where except under such superintendents and keepers as are appointed by him, responsible to him, and removable at his will;

That the whole executive power is in the President, and that therefore the duty of defending the integrity of the Constitution *results to him from the very nature of his office;* and that the founders of our republic have attested their sense of the importance of this duty, and, by expressing it in his official oath, have given to it peculiar solemnity and force;

That, as he is to take care that the laws be faithfully executed, he is thereby made responsible for the entire action of the executive department, with the power of appointing, overseeing, and *controlling* those who execute the laws;

That the power of removal from office, like that of appointment, is an *original* executive power, and is *left* in his hands *unchecked* by the Constitution, except in the case of judges; that, being responsible for the exercise of the whole executive power, he has a right to employ agents of his own choice to assist *him* in the performance of *his* duties, and to discharge them when he is no longer willing to be responsible for their acts;

That the Secretaries are *his* Secretaries, and all persons appointed to offices created by law, except the judges, *his* agents, responsible to him, and removable at his pleasure;

And, finally, that he is the *direct representative of the American people.*

These, Sir, are some of the leading propositions contained in the Protest; and if they be true, then the government under which we live is an elective monarchy. It is not yet absolute; there are yet some checks and limitations in the Constitution and laws; but, in its essential and prevailing character, it is an elective monarchy.

Mr. President, I have spoken freely of this Protest, and of the doctrines which it advances; but I have spoken deliberately. On these high questions of constitutional law, respect for my own character, as well as a solemn and profound sense of duty, restrains me from giving utterance to a single sentiment which does not flow from entire conviction. I feel that I am not wrong. I feel that an inborn and inbred love of constitutional liberty, and some study of our political institutions, have not on this occasion misled me. But I have desired to say nothing that should give pain to the chief magistrate personally. I have not sought to fix arrows in his breast; but I believe him mistaken, altogether mistaken, in the sentiments which he has expressed; and I must concur with others in placing on the records of the Senate my disapprobation of those sentiments. On a vote which is to remain so long as any proceeding of the

Senate shall last, and on a question which can never cease to be important while the Constitution of the country endures, I have desired to make public my reasons. They will now be known, and I submit them to the judgment of the present and of after times. Sir, the occasion is full of interest. It cannot pass off without leaving strong impressions on the character of public men. A collision has taken place which I could have most anxiously wished to avoid; but it was not to be shunned. We have not sought this controversy; it has met us, and been forced upon us. In my judgment, the law has been disregarded, and the Constitution transgressed; the fortress of liberty has been assaulted, and circumstances have placed the Senate in the breach; and, although we may perish in it, I know we shall not fly from it. But I am fearless of consequences. We shall hold on, Sir, and hold out, till the people themselves come to its defence. We shall raise the alarm, and maintain the post, till they whose right it is shall decide whether the Senate be a faction, wantonly resisting lawful power, or whether it be opposing, with firmness and patriotism, violations of liberty and inroads upon the Constitution.

THE APPOINTING AND REMOVING POWER.

Speech on the Appointing and Removing Power, delivered in the Senate of the United States, on the 16th of February, 1835, on the Passage of the Bill entitled "An Act to repeal the First and Second Sections of the Act to limit the Term of Service of certain Officers therein named."

Mr. President, — The professed object of this bill is the reduction of executive influence and patronage. I concur in the propriety of that object. Having no wish to diminish or to control, in the slightest degree, the constitutional and legal authority of the presidential office, I yet think that the indirect and rapidly-increasing influence which it possesses, and which arises from the power of bestowing office and of taking it away again at pleasure, and from the manner in which that power seems now to be systematically exercised, is productive of serious evils.

The extent of the patronage springing from this power of appointment and removal is so great, that it brings a dangerous mass of private and personal interest into operation in all great public elections and public questions. This is a mischief which has reached, already, an alarming height. The principle of republican governments, we are taught, is public virtue; and whatever tends either to corrupt this principle, to debase it, or to weaken its force, tends, in the same degree, to the final overthrow of such governments. Our representative systems suppose, that, in exercising the high right of suffrage, the greatest of all political rights, and in forming opinions on great public measures, men will act conscientiously, under the influence of public principle and patriotic duty; and that, in supporting or opposing men or measures, there will be a general prevalence of honest, intelligent judgment and manly independence. These presumptions lie at the foundation of all hope of maintaining governments entirely popular. Whenever personal, individual, or selfish motives influence the conduct of individuals on public questions, they affect the safety of the whole system. When these motives run deep and wide, and come in serious conflict with higher, purer, and more patriotic purposes, they greatly endanger that system; and all will admit that, if they become general and overwhelming, so that all public principle is lost sight of, and every election becomes a mere scramble for office, the system inevitably must fall. Every wise man, in and out of government, will endeavor, therefore, to promote the ascendency of public virtue and public principle, and to restrain as far as practicable, in the actual operation of our institutions, the influence of selfish and private interests.

I concur with those who think, that, looking to the present, and looking also to the future, and regarding all the probabilities that await us in reference to the character and qualities of those who may fill the executive chair, it is important to the stability of government and the welfare of the people that there should be a check to the progress of official influence and patronage. The unlimited power to grant office, and to take it away, gives a command over the

hopes and fears of a vast multitude of men. It is generally true, that he who controls another man's means of living controls his will. Where there are favors to be granted, there are usually enough to solicit for them; and when favors once granted may be withdrawn at pleasure, there is ordinarily little security for personal independence of character. The power of giving office thus affects the fears of all who are in, and the hopes of all who are out. Those who are *out* endeavor to distinguish themselves by active political friendship, by warm personal devotion, by clamorous support of men in whose hands is the power of reward; while those who are *in* ordinarily take care that others shall not surpass them in such qualities or such conduct as are most likely to secure favor. They resolve not to be outdone in any of the works of partisanship. The consequence of all this is obvious. A competition ensues, not of patriotic labors; not of rough and severe toils for the public good; not of manliness, independence, and public spirit; but of complaisance, of indiscriminate support of executive measures, of pliant subserviency and gross adulation. All throng and rush together to the altar of man worship; and there they offer sacrifices, and pour out libations, till the thick fumes of their incense turn their own heads, and turn, also, the head of him who is the object of their idolatry.

The existence of parties in popular governments is not to be avoided; and if they are formed on constitutional questions, or in regard to great measures of public policy, and do not run to excessive length, it may be admitted that, on the whole, they do no great harm. But the patronage of office, the power of bestowing place and emoluments, creates parties, not upon any principle or any measure, but upon the single ground of personal interest. Under the direct influence of this motive, they form round a leader, and they go for "the spoils of victory." And if the party chieftain becomes the national chieftain, he is still but too apt to consider all who have opposed him as enemies to be punished, and all who have supported him as friends to be rewarded. Blind devotion to party, and to the head of a party, thus takes

place of the sentiment of generous patriotism and a high and exalted sense of public duty.

Let it not be said, Sir, that the danger from executive patronage cannot be great, since the persons who hold office, or can hold office, constitute so small a portion of the whole people.

In the first place, it is to be remembered that patronage acts, not only on those who actually possess office, but on those also who expect it, or hope for it; and in the next place, office holders, by their very situation, their public station, their connection with the business of individuals, their activity, their ability to help or to hurt according to their pleasure, their acquaintance with public affairs, and their zeal and devotion, exercise a degree of influence out of all proportion to their numbers.

Sir, we cannot disregard our own experience. We cannot shut our eyes to what is around us and upon us. No candid man can deny that a great, a very great change has taken place, within a few years, in the practice of the executive government, which has produced a corresponding change in our political condition. No one can deny that office, of every kind, is now sought with extraordinary avidity, and that the condition, well understood to be attached to every officer, high or low, is indiscriminate support of executive measures and implicit obedience to executive will. For these reasons, Sir, I am for arresting the further progress of this executive patronage, if we can arrest it. I am for staying the further contagion of this plague.

Sir, the theory of our institutions is plain; it is, that government is an agency created for the good of the people, and that every person in office is the agent and servant of the people. Offices are created, not for the benefit of those who are to fill them, but for the public convenience; and they ought to be no more in number, nor should higher salaries be attached to them, than the public service requires. This is the theory. But the difficulty in practice is, to prevent a direct reversal of all this; to prevent public offices from being considered as intended for the use and emolument of those who can obtain them. There is a headlong

tendency to this, and it is necessary to restrain it by wise and effective legislation. There is still another, and perhaps a greatly more mischievous result, of extensive patronage in the hands of a single magistrate, to which I have already incidentally alluded; and that is, that men in office have begun to think themselves mere agents and servants of the appointing power, and not agents of the government or the country. It is, in an especial manner, important, if it be practicable, to apply some corrective to this kind of feeling and opinion. It is necessary to bring back public officers to the conviction, that they belong to the country, and not to any administration, nor to any one man. The army is the army of the country; the navy is the navy of the country; neither of them is either the mere instrument of the administration for the time being, nor of him who is at the head of it. The post office, the land office, the custom house, are, in like manner, institutions of the country, established for the good of the people; and it may well alarm the lovers of free institutions, when all the offices in these several departments are spoken of, in high places, as being but "spoils of victory," to be enjoyed by those who are successful in a contest, in which they profess this grasping of the spoils to have been the object of their efforts.

This part of the bill, therefore, Sir, is a subject for fair comparison. We have gained something, doubtless, by limiting the commissions of these officers to four years.

For one, I think the balance of advantage is decidedly in favor of the present bill. I think it will make men more dependent on their own good conduct, and less dependent on the will of others. I believe it will cause them to regard their country more, their own duty more, and the favor of individuals less. I think it will contribute to official respectability, to freedom of opinion, to independence of character; and I think it will tend, in no small degree, to prevent the mixture of selfish and personal motives with the exercise of high political duties. It will promote true and genuine republicanism, by causing the opinion of the people respecting the measures of government, and the men in government, to be formed and expressed without fear or favor, and

with a more entire regard to their true and real merits or demerits. It will be, so far as its effects reach, an auxiliary to patriotism and public virtue, in their warfare against selfishness and cupidity.

The second check on executive patronage contained in this bill is of still greater importance than the first. This provision is, that, whenever the President removes any of these officers from office, he shall state to the Senate the reasons for such removal. This part of the bill has been opposed, both on constitutional grounds and on grounds of expediency.

The bill, it is to be observed, expressly recognizes and admits the actual existence of the power of removal. I do not mean to deny, and the bill does not deny, that, at the present moment, the President may remove these officers at will, because the early decision adopted that construction, and the laws have since uniformly sanctioned it. The law of 1820, intended to be repealed by this bill, expressly affirms the power. I consider it, therefore, a settled point; settled by construction, settled by precedent, settled by the practice of the government, and settled by statute. At the same time, after considering the question again and again within the last six years, I am very willing to say, that, in my deliberate judgment, the original decision was wrong. I cannot but think that those who denied the power in 1789 had the best of the argument; and yet I will not say that I know myself so thoroughly as to affirm, that this opinion may not have been produced, in some measure, by that abuse of the power which has been passing before our eyes for several years. It is possible that this experience of the evil may have affected my view of the constitutional argument. It appears to me, however, after thorough and repeated and conscientious examination, that an erroneous interpretation was given to the Constitution, in this respect, by the decision of the first Congress.

Mr. President, without pursuing the discussion further, I will detain the Senate only while I recapitulate the opinions which I have expressed; because I am far less desirous of influencing the judgment of others, than of making clear the grounds of my own judgment.

I think, then, Sir, that the power of appointment naturally and necessarily includes the power of removal, where no limitation is expressed, nor any tenure but that at will declared. The power of appointment being conferred on the President *and Senate*, I think the power of removal went along with it, and should have been regarded as a part of it, and exercised by the same hands. I think, consequently, that the decision of 1789, which *implied* a power of removal separate from the appointing power, was erroneous.

But I think the decision of 1789 has been established by practice, and recognized by subsequent laws, as the settled construction of the Constitution, and that it is our duty to act upon the case, accordingly, for the present; without admitting that Congress may not, hereafter, if necessity shall require it, reverse the decision of 1789. I think the legislature possesses the power of regulating the condition, duration, qualification, and tenure of office, in all cases where the Constitution has made no express provision on the subject.

I am, therefore, of opinion, that it is competent for Congress to declare by law, as one qualification of the tenure of office, that the incumbent shall remain in place till the President shall remove him, for reasons to be stated to the Senate. And I am of opinion that this qualification, mild and gentle as it is, will have *some* effect in arresting the evils which beset the progress of the government, and seriously threaten its future prosperity.

RECEPTION AT BANGOR.

Remarks made to the Citizens of Bangor, Maine, on the 25th of August, 1835. Delivered from the Balcony of the Hotel.

Fellow-Citizens, — Having occasion to come into the State on professional business, I have gladly availed myself of the opportunity to visit this city, the growing magnitude and importance of which have recently attracted such general notice. I am happy to say, that I see around me

ample proofs of the correctness of the favorable representations which have gone abroad. Your city, Gentlemen, has certainly experienced an extraordinary growth; and it is a growth, I think, which there is reason to hope is not unnatural, or greatly disproportionate to the eminent advantages of the place. It so happened, that, at an early period of my life, I came to this spot, attracted by that favorable position, which the slightest glance on the map must satisfy every one that it occupies. It is near the head of tide-water, on a river which brings to it from the sea a volume of water equal to the demands of the largest vessels of war, and whose branches, uniting here, from great distances above, traverse in their course extensive tracts now covered with valuable productions of the forest, and capable, most of them, of profitable agricultural cultivation. But at the period I speak of, the time had not come for the proper development and display of these advantages. Neither the place itself, nor the country, was then ready. A long course of commercial restrictions and embargo, and a foreign war, were yet to be gone through, before the local advantages of such a spot could be exhibited or enjoyed, or the country would be in a condition to create an active demand for its main products.

I believe some twelve or twenty houses were all that Bangor could enumerate, when I was in it before; and I remember to have crossed the stream which now divides your fair city on some floating logs, for the purpose of visiting a former friend and neighbor, who had just then settled here; a gentleman always most respectable, and now venerable for his age and his character, whom I have great pleasure in seeing among you to-day, in the enjoyment of health and happiness.

It is quite obvious, Gentlemen, that while the local advantages of a noble river, and of a large surrounding country, may be justly considered as the original spring of the present prosperity of the city, the current of this prosperity has, nevertheless, been put in motion, enlarged, and impelled, by the general progress of improvement, and growth of wealth throughout the whole country.

At the period of my former visit, there was, of course, neither railroad, nor steamboat, nor canal, to favor communication; nor do I recollect that any public or stage coach came within fifty miles of the town.

Internal improvement (as it is comprehensively called in this country) has been the great agent of this favorable change; and so blended are our interests, that the general activity which exists elsewhere, supported and stimulated by internal improvement, pervades and benefits even those portions of the country which are locally remote from the immediate scene of the main operations of this improvement. Whatever promotes communication, whatsoever extends general business, whatsoever encourages enterprise, or whatsoever advances the general wealth and prosperity of other States, must have a plain, direct, and powerful bearing on your own prosperity. In truth, there is no town in the Union, whose hopes can be more directly staked on the general prosperity of the country, than this rising city. If any thing should interrupt the general operations of business, if commercial embarrassment, foreign war, pecuniary derangement, domestic dissension, or any other causes, were to arrest the general progress of the public welfare, all must see with what a blasting and withering effect such a course must operate on Bangor.

Gentlemen, I have often taken occasion to say, what circumstances may render it proper now to repeat, that, at the close of the last war, a new era, in my judgment, had opened in the United States. A new career then lay before us. At peace ourselves with the nations of Europe, and those nations, too, at peace with one another, and the leading civilized states of the world no longer allowing that carrying trade which had been the rich harvest of our neutrality in the midst of former wars, but all now coming forward to exercise their own rights, in sharing the commerce and navigation of the world, it seemed to me to be very plain, that, while our commerce was still to be fostered with the most zealous care, yet quite a new view of things was presented to us in regard to our internal pursuits and concerns. The works of peace, as it seemed to me, had become our duties,

A hostile exterior, a front of brass, and an arm of iron, all necessary in the just defence of the country against foreign aggression, naturally gave place, in a change of circumstances, to the attitude, the objects, and the pursuits of peace. Our true interest, as I thought, was to explore our own resources, to call forth and encourage labor and enterprise upon internal objects, to multiply the sources of employment and comfort at home, and to unite the country by ties of intercourse, commerce, benefits, and prosperity, in all parts, as well as by the ties of political association. And it appeared to me that government itself clearly possessed the power, and was as clearly charged with the duty of helping on, in various ways, this great business of internal improvement. I have, therefore, steadily supported all measures directed to that end, which appeared to me to be within the just power of the government, and to be practicable within the limits of reasonable expenditure. And if any one would judge how far the fostering of this spirit has been beneficial to the country, let him compare its state at this moment with its condition at the commencement of the late war; and let him then say how much of all that has been added to national wealth and national strength, and to individual prosperity and happiness, has been the fair result of internal improvement.

Gentlemen, it has been your pleasure to give utterance to sentiments expressing approbation of my humble efforts, on several occasions, in defence and maintenance of the Constitution of the country. I have nothing to say of those efforts, except that they have been honestly intended. The country sees no reason, I trust, to suppose that on those occasions I have taken counsel of any thing but a deep sense of duty. I have, on some occasions, felt myself called on to maintain my opinions, in opposition to power, to place, to official influence, and to overwhelming personal popularity. I have thought it my imperative duty to put forth my most earnest efforts to maintain what I considered to be the just powers of the government, when it appeared to me that those to whom its administration was intrusted were countenancing doctrines inevitably tending to its destruction.

And I have, with far more pleasure, on other occasions, supported the constituted authorities, when I have deemed their measures to be called for by a regard to its preservation.

The Constitution of the United States, Gentlemen, has appeared to me to have been formed and adopted for two grand objects. The first is the Union of the States. It is the bond of that union, and it states and defines its terms. Who can speak in terms warm enough and high enough of its importance in this respect, or the admirable wisdom with which it is formed? Or who, when he shall have stated the benefits and blessings which it has conferred upon the States most strongly, will venture to say that he has done it justice? For one, I am not sanguine enough to believe that, if this bond of union were dissolved, any other tie uniting all the States would take its place for generations to come. It requires no common skill, it is no piece of ordinary political journey-work, to form a system which shall hold together four and twenty separate State sovereignties, the line of whose united territories runs down all the parallels of latitude from New Brunswick to the Gulf of Mexico, and whose connected breadth stretches from the sea far beyond the Mississippi. Nor are all times or all occasions suited to such great operations. It is only under the most favorable circumstances, and only when great men are called on to meet great exigencies, only once in centuries, that such fortunate political results are to be attained. Whoever, therefore, undervalues this National Union, whoever depreciates it, whoever accustoms himself to consider how the people might get on without it, appears to me to encourage sentiments subversive of the foundations of our prosperity.

It is true that these twenty-four States are, more or less, different in climate, productions, and local pursuits. There are planting States, grain-growing States, manufacturing States, and commercial States. But those several interests, if not identical, are not therefore inconsistent and hostile. Far from it. They unite, on the contrary, to promote an aggregate result of unrivalled national happiness. It is not precisely a case in which

"All nature's difference keeps all nature's peace;"

but it is a case in which variety of climate and condition, and diversities of pursuits and productions, all unite to exhibit one harmonious, grand, and magnificent whole, to which the world may be proudly challenged to show an equal. In my opinion, no man, in any corner of any one of these States, can stand up and declare, that he is less prosperous or less happy than if the general government had never existed. Entertaining these sentiments, and feeling their force most deeply, I regard it as the bounden duty of every good citizen, in public and in private life, to follow the admonition of Washington, and to cherish that Union which makes us one people. I most earnestly deprecate, therefore, whatever occurs, in the government or out of it, calculated to endanger the Union or disturb the basis on which it rests.

Another object of the Constitution I take to be such as is common to all written constitutions of free governments; that is, to fix limits to delegated authority, or, in other words, to impose constitutional restraints on political power. Some, who esteem themselves republicans, seem to think no other security for public liberty necessary than a provision for a popular choice of rulers. If political power be delegated power, they entertain little fear of its being abused. The people's servants and favorites, they think, may be safely trusted. Our fathers, certainly, were not of this school. They sought to make assurance doubly sure, by providing, in the first place, for the election of political agents by the people themselves, at short intervals, and, in the next place, by prescribing constitutional restraints on all branches of this delegated authority. It is not among the circumstances of the times most ominous for good, that a diminished estimate appears to be placed on those constitutional securities. A disposition is but too prevalent to substitute personal confidence for legal restraint; to put trust in men rather than in principles; and this disposition being strongest, as it most obviously is, whenever party spirit prevails to the greatest extent, it is not without reason that fears

are entertained of the existence of a spirit tending strongly to an unlimited, if it be but an elective, government.

Surely, Gentlemen, this government can go through no such change. Long before that change could take place, the Constitution would be shattered to pieces, and the Union of the States become matter of past history. To the Union, therefore, as well as to civil liberty, to every interest which we enjoy and value, to all that makes us proud of our country, or which renders our country lovely in our own eyes, or dear to our own hearts, nothing can be more repugnant, nothing more hostile, nothing more directly destructive, than excessive, unlimited, unconstitutional confidence in men; nothing worse, than the doctrine that official agents may interpret the public will in their own way, in defiance of the Constitution and the laws; or that they may set up any thing for the declaration of that will except the Constitution and the laws themselves; or that any public officer, high or low, should undertake to constitute himself or to call himself *the representative of the people*, except so far as the Constitution and the laws create and denominate him such representative. There is no usurpation so dangerous as that which comes in the borrowed name of the people. If from some other authority, or other source, prerogatives be attempted to be enforced *upon* the people, they naturally oppose and resist it. It is an open enemy, and they can easily subdue it. But that which professes to act in their own name, and by their own authority, that which calls itself their servant, although it exercises their power without legal right or constitutional sanction, requires something more of vigilance to detect, and something more of stern patriotism to repress; and if it be not seasonably both detected and repressed, then the republic is already in the downward path of those which have gone before it.

I hold, therefore, Gentlemen, that a strict submission, by every branch of the government, to the limitations and restraints of the Constitution, is of the very essence of all security for the preservation of liberty; and that no one can be a true and intelligent friend of that liberty, who will consent that any man in public station, whatever he may think

of the honesty of his motives, shall assume to exercise an authority above the Constitution and the laws. Whatever government is not a government of laws, is a despotism, let it be called what it may.

Gentlemen, on an occasion like this, I ought not to detain you longer. Let us hope for the best, in behalf of this great and happy country, and of our glorious Constitution. Indeed, Gentlemen, we may well congratulate ourselves that the country is so young, so fresh, and so vigorous, that it can bear a great deal of bad government. It can take an enormous load of official mismanagement on its shoulders, and yet go ahead. Like the vessel impelled by steam, it can move forward, not only without other than the ordinary means, but even when those means oppose it; it can make its way in defiance of the elements, and

> "Against the wind, against the tide,
> Still steady, with an upright keel."

There are some things, however, which the country cannot stand. It cannot stand any shock of civil liberty, or any disruption of the Union. Should either of these happen, the vessel of the state will have no longer either steerage or motion. She will lie on the billows helpless and hopeless, the scorn and contempt of all the enemies of free institutions, and an object of indescribable grief to all their friends.

PRESENTATION OF A VASE.

Speech delivered at the Odeon, on Occasion of the Presentation of a Silver Vase, by Citizens of Boston, on the 12th of October, 1835.

THE Vase was placed on a pedestal covered with the American Flag, and contained on its front the following inscription: —.

To DANIEL WEBSTER, *defender of the Constitution of the United States; from Citizens of Boston, October* 12, 1835.

Hon. Francis C. Gray, in behalf of his fellow-citizens, addressed Mr Webster in a neat and appropriate style, and requested his acceptance of the Vase.

Mr. Webster replied: —

MR. CHAIRMAN AND GENTLEMEN: — I accept, with grateful respect, the present which it is your pleasure to make. I value it. It bears an expression of your regard for those political principles which I have endeavored to maintain; and though the material were less costly, or the workmanship less elegant, any durable evidence of your approbation could not but give me high satisfaction.

This approbation is the more gratifying, as it is not bestowed for services connected with local questions or local interests, or which are supposed to have been peculiarly beneficial to yourselves, but for efforts which had the interests of the whole country for their object, and which were useful, if useful at all, to all who live under the blessings of the Constitution and government of the United States.

It is twelve or thirteen years, Gentlemen, since I was honored with a seat in Congress, by the choice of the citizens of Boston. They saw fit to repeat that choice more than once; and I embrace, with pleasure, this opportunity of expressing to them my sincere and profound sense of obligation for these manifestations of confidence. At a later period, the Legislature of the State saw fit to transfer me to another place; and have again renewed the trust, under circumstances which I have felt to impose upon me new obligations of duty, and an increased devotion to the political welfare of the country. These twelve or thirteen years, Gentlemen, have been years of labor, and not without sacrifices; but both have been more than compensated by the kindness, the good-will, and the favorable interpretation with which my discharge of official duties has been received. In this changing world, we can hardly say that we possess what is present, and the future is all unknown. But the past is ours. Its acquisitions, and its enjoyments, are safe. And among these acquisitions, among the treasures of the past most to be cherished and preserved, I shall ever reckon the proofs of esteem and confidence which I have received from the citizens of Boston and the Legislature of Massachusetts.

In one respect, Gentlemen, your present oppresses me. It overcomes me by its tone of commendation. It assigns

to me a character of which I feel I am not worthy. "The Defender of the Constitution" is a title quite too high for me. He who shall prove himself the ablest among the able men of the country, he who shall serve it longest among those who may serve it long, he on whose labors all the stars of benignant fortune shall shed their selectest influence, will have praise enough, and reward enough, if, at the end of his political and earthly career, though that career may have been as bright as the track of the sun across the sky, the marble under which he sleeps, and that much better record, the grateful breasts of his living countrymen, shall pronounce him "the Defender of the Constitution." It is enough for me, Gentlemen, to be connected, in the most humble manner, with the defence and maintenance of this great wonder of modern times, and this certain wonder of all future times. It is enough for me to stand in the ranks, and only to be counted as one of its defenders.

The Constitution of the United States, I am confident, will protect the name and the memory both of its founders and of its friends, even of its humblest friends. It will impart to both something of its own ever-memorable and enduring distinction; I had almost said, something of its own everlasting remembrance. Centuries hence, when the vicissitudes of human affairs shall have broken it, if ever they shall break it, into fragments, these very fragments, every shattered column, every displaced foundation stone, shall yet be sure to bring them all into recollection, and attract to them the respect and gratitude of mankind.

Gentlemen, it is to pay respect to this Constitution, it is to manifest your attachment to it, your sense of its value, and your devotion to its true principles, that you have sought this occasion. It is not to pay an ostentatious personal compliment. If it were, it would be unworthy both of you and of me. It is not to manifest attachment to individuals, independent of all considerations of principles; if it were, I should feel it my duty to tell you, friends as you are, that you were doing that which, at this very moment, constitutes one of the most threatening dangers to the Constitution itself. Your gift would have no value in my eyes,

this occasion would be regarded by me as an idle pageant, if I did not know that they are both but modes chosen by you, to signify your attachment to the true principles of the Constitution; your fixed purpose, so far as in you lies, to maintain those principles; and your resolution to support public men, and stand by them, so long as they shall support and stand by the Constitution of the country, and no longer.

"The Constitution of the country!" Gentlemen, often as I am called to contemplate this subject, its importance always rises, and magnifies itself more and more, before me. I cannot view its preservation as a concern of narrow extent, or temporary duration. On the contrary, I see in it a vast interest, which is to run down with the generations of men, and to spread over a great portion of the earth with a direct, and over the rest with an indirect, but a most powerful influence. When I speak of it here, in this thick crowd of fellow-citizens and friends, I yet behold, thronging about me, a much larger and more imposing crowd. I see a united rush of the present and the future. I see all the patriotic of our own land, and our own time. I see also the many millions of their posterity, and I see, too, the lovers of human liberty from every part of the earth, from beneath the oppressions of thrones, and hierarchies, and dynasties, from amidst the darkness of ignorance, degradation, and despotism, into which any ray of political light has penetrated; I see all those countless multitudes gather about us, and I hear their united and earnest voices, conjuring us, in whose charge the treasure now is, to hold on, and hold on to the last, by that which is our own highest enjoyment and their best hope.

Filled with these sentiments, Gentlemen, and having through my political life hitherto always acted under the deepest conviction of their truth and importance, it is natural that I should have regarded the preservation of the Constitution as the first great political object to be secured. But I claim no exclusive merit. I should deem it, especially, both unbecoming and unjust in me to separate myself, in this respect, from other public servants of the people of Massachusetts.

The distinguished gentlemen who have preceded and followed me in the representation of the city, their associates from other districts of the State, and my late worthy and most highly-esteemed colleague, are entitled, one and all, to a full share in the public approbation. If accidental circumstances, or a particular position, have sometimes rendered me more prominent, equal patriotism and equal zeal have yet made them equally deserving. It were invidious to enumerate these fellow-laborers, or to discriminate among them. Long may they live! and I could hardly express a better wish for the interest and honor of the States, than that the public men who may follow them may be as disinterested, as patriotic, and as able as they have proved themselves.

There have been, Gentlemen, it is true, anxious moments. That was an anxious occasion, to which the gentleman who has addressed me in your behalf has alluded; I mean the debate in January, 1830. It seemed to me then that the Constitution was about to be abandoned. Threatened with most serious dangers, it was not only not defended, but attacked, as I thought, and weakened and wounded in its vital powers and faculties, by those to whom the country naturally looks for its defence and protection. It appeared to me that the Union was about to go to pieces before the people were at all aware of the extent of the danger. The occasion was not sought, but forced upon us; it seemed to me momentous, and I confess that I felt that even the little that I could do, in such a crisis, was called for by every motive which could be addressed to a lover of the Constitution. I took a part in the debate, therefore, with my whole heart already in the subject, and careless for every thing in the result, except the judgment which the people of the United States should form upon the questions involved in the discussion. I believe that judgment has been definitely pronounced; but nothing is due to me, beyond the merit of having made an earnest effort to present the true question to the people, and to invoke for it that attention from them, which its high importance appeared to me to demand.

The Constitution of the United States, Gentlemen, is of

a peculiar structure. Our whole system is peculiar. It is fashioned according to no existing model, likened to no precedent, and yet founded on principles which lie at the foundations of all free governments, wherever such governments exist. It is a complicated system. It is elaborate, and in some sense artificial, in its composition. We have twenty-four State sovereignties, all exercising legislative, judicial, and executive powers. Some of the sovereignties, or States, had long existed, and, subject only to the restraint of the power of the parent country, had been accustomed to the forms and to the exercise of the powers of representative republics. Others of them are new creations, coming into existence only under the Constitution itself; but all now standing on an equal footing.

The general government, under which all these States are united, is not, as has been justly remarked by Mr. Gray, a confederation. It is much more than a confederation. It is a popular representative government; with all the departments, and all the functions and organs, of such a government. But it is still a limited, a restrained, a severely guarded government. It exists under a written constitution, and all that human wisdom could do is done, to define its powers and to prevent their abuse. It is placed in what was supposed to be the safest medium between dangerous authority on the one hand, and debility and inefficiency on the other. I think that happy medium was found, by the exercise of the greatest political sagacity, and the influence of the highest good fortune. We cannot move the system either way, without the probability of hurtful change; and as experience has taught us, its safety, and its usefulness, when left where it is, our duty is a plain one.

It cannot be doubted that a system thus complicated must be accompanied by more or less of danger, in every stage of its existence. It has not the simplicity of despotism. It is not a plain column, that stands self-poised and self-supported. Nor is it a loose, irregular, unfixed, and undefined system of rule, which admits of constant and violent changes, without losing its character. But it is a balanced and guarded system; a system of checks and controls; a sys-

tem in which powers are carefully delegated, and as carefully limited; a system in which the symmetry of the parts is designed to produce an aggregate whole, which shall be favorable to personal liberty, favorable to public prosperity, and favorable to national glory. And who can deny, that, by a trial of fifty years, this American system of government has proved itself capable of conferring all these blessings? These years have been years of great agitation throughout the civilized world. In the course of them the face of Europe has been completely changed. Old and corrupt governments have been destroyed, and new ones, erected in their places, have been destroyed too, sometimes in rapid succession. Yet, through all the extraordinary, the most extraordinary scenes of this half century, the free, popular, representative government of the United States has stood, and has afforded security for liberty, for property, and for reputation, to all citizens.

That it has been exposed to many dangers, that it has met critical moments, is certain. That it is now exposed to dangers, and that a crisis is now before it, is equally clear, in my judgment. But it has hitherto been preserved, and vigilance and patriotism may rescue it again.

Our dangers, Gentlemen, are not from *without*. We have nothing to fear from foreign powers, except those interruptions of the occupations of life which all wars occasion. The dangers to our system, as a system, do not spring from that quarter. On the contrary, the pressure of foreign hostility would be most likely to unite us, and to strengthen our union, by an augmented sense of its utility and necessity. But our dangers are from within. I do not now speak of those dangers which have in all ages beset republican governments, such as luxury among the rich, the corruption of public officers, and the general degradation of public morals. I speak only of those peculiar dangers to which the structure of our government particularly exposes it, in addition to all other ordinary dangers. These arise among ourselves; they spring up at home; and the evil which they threaten is no less than disunion, or the overthrow of the whole system. Local feelings and local parties,

a notion sometimes sedulously cultivated of opposite interests in different portions of the Union, evil prophecies respecting its duration, cool calculations upon the benefits of separation, a narrow feeling that cannot embrace all the States as one country, an unsocial, anti-national, and half-belligerent spirit, which sometimes betrays itself, — all these undoubtedly are causes which affect, more or less, our prospect of holding together. All these are unpropitious influences.

The Constitution, again, is founded on compromise, and the most perfect and absolute good faith, in regard to every stipulation of this kind contained in it, is indispensable to its preservation. Every attempt to accomplish even the best purpose, every attempt to grasp that which is regarded as an immediate good, in violation of these stipulations, is full of danger to the whole Constitution. I need not say, also, that possible collision between the general and the State governments always has been, is, and ever must be, a source of danger to be strictly watched by wise men.

I desire not to stand before the country as a man of no opinions, or of such a mixture of opposite opinions that the result has no character at all. On the contrary, I am desirous of standing as one who is bound to his own consistency by the frankest avowal of his sentiments on all important and interesting subjects. I am not partly for the Constitution, and partly against it; I am wholly for it, for it altogether, for it as it is, and for the exercise, when occasion requires, of all its just powers, as they have heretofore been exercised by Washington, and the great men who have followed him in its administration.

I disdain, altogether, the character of an uncommitted man. I am committed, fully committed; committed to the full extent of all that I am, and all that I hope, to the Constitution of the country, to its love and reverence, to its defence and maintenance, to its warm commendation to every American heart, and to its vindication and just praise, before all mankind. And I am committed *against* every thing which, in my judgment, may weaken, endanger, or destroy it. I am committed against the encouragement of local

parties and local feelings; I am committed against all fostering of anti-national spirit; I am committed against the slightest infringement of the original compromise on which the Constitution was founded; I am committed against any and every derangement of the powers of the several departments of the government, against any derogation from the constitutional authority of Congress, and especially against all extension of executive power; and I am committed against any attempt to rule the free people of this country by the power and the patronage of the government itself. I am committed, fully and entirely committed, against making the government the people's master.

SLAVERY AND THE SLAVE TRADE IN THE DISTRICT OF COLUMBIA.

Remarks made in the Senate of the United States, on the 16th of March, 1836, on presenting sundry Abolition Petitions.

AGREEABLY to notice, I offer sundry petitions on the subject of slavery and the slave trade in the District of Columbia.

I ask, Sir, that these petitions may be received, and I move that they be referred to the Committee on the District of Columbia. This motion itself, Sir, sufficiently shows in what manner I think this subject ought to be treated in the Senate.

The petitioners ask Congress to consider the propriety and expediency of two things; first, of making provision for the extinction of slavery in the District; second, of abolishing or restraining the trade in slaves within the District. Similar petitions have already been received by the Senate. Those gentlemen who think Congress have no power over any part of the subject, if they are clear and settled in that opinion, were perfectly justifiable in voting not to receive them. Any petition which, in our opinion, asks us to do that which is plainly against the Constitution, we might very justly reject. If persons, for instance, should petition us to pass a law abridging the freedom of the press, or respecting

an establishment of religion, such petition would very properly be denied any reception at all.

In doubtful cases, we should incline to receive and consider; because doubtful cases ought not to be decided without consideration. But I cannot regard this case as a doubtful one. I think the constitutional power of Congress over the subject is clear, and therefore that we were bound to receive the petitions. And a large majority of the Senate are also of opinion, that petitions of this kind ought to be received.

I have often, Mr. President, expressed the opinion, that over slavery, as it exists in the States, this government has no control whatever. It is entirely and exclusively a State concern. And while it is thus clear that Congress has no direct power over the subject, it is our duty to take care that the authority of this government is not brought to bear upon it by any indirect interference whatever. It must be left to the States, to the course of things, and to those causes over which this government has no control. All this, in my opinion, is in the clear line of our duty.

On the other hand, believing that Congress has constitutional power over slavery, and the trade in slaves, within the District, I think petitions on those subjects, respectfully presented, ought to be respectfully viewed, and respectfully considered. The respectful mode, the proper mode, is the ordinary mode. We have a committee on the affairs of the District. For very obvious reasons, and without any reference to this question, this committee is ordinarily composed principally of Southern gentlemen. For many years a member from Virginia or Maryland has, I believe, been at the head of the committee. The committee, therefore, is the appropriate one, and there can be no possible objection to it on account of the manner in which it is constituted.

Now I believe, Sir, that the unanimous opinion of the North is, that Congress has no authority over slavery in the States; and it is perhaps equally unanimous in the opinion, that over slavery in the District it has such rightful authority.

Then, Sir, the question is a question of the fitness, pro-

priety, justice, and expediency of considering these two subjects, or either of them, according to the prayer of these petitions.

It is well known to us and to the country, that Congress has hitherto entertained inquiries on both these points. On the 9th of January, 1809, the House of Representatives resolved, by very large majorities, "That the Committee on the District of Columbia be instructed to take into consideration the laws within the District in respect to slavery; that they inquire into the slave trade as it exists in, and is carried on through, the District; and that they report to the House such amendments to the existing laws as shall seem to them to be just."

It resolved also, "That the committee be further instructed to inquire into the expediency of providing by law for the gradual abolition of slavery within the District, in such manner that the interest of no individual shall be injured thereby."

As early as March, 1816, the same House, on the motion of Mr. Randolph, of Virginia, resolved, "That a committee be appointed to inquire into the existence of an inhuman and illegal traffic of slaves carried on in and through the District of Columbia, and to report whether any, and what, measures are necessary for putting a stop to the same."

It is known, also, Sir, that the legislature of Pennsylvania has within a very few years urged upon Congress the propriety of providing for the abolition of slavery in the District. The House of Assembly of New York, about the same time, I think, passed a similar vote.

After these proceedings, Mr. President, which were generally known, I think the country was not at all prepared to find that these petitions would be objected to on the ground that they asked for the exercise of an authority on the part of Congress, which Congress cannot constitutionally exercise; or that, having been formally received, the prayer of them, in regard to both objects, would be immediately rejected, without reference to a committee, and without any inquiry.

Now, Sir, the propriety, justice, and fitness of any inter-

ference of Congress, for either of the purposes stated in the petitions, are the points on which, as it seems to me, it is highly proper for a committee to make a report. The well disposed and patriotic among these petitioners are entitled to be respectfully answered; and if there be among them others whose motives are less praiseworthy, it is not the part of prudence to give them the advantage which they would derive from a right to complain that the Senate had acted hastily or summarily on their petitions, without inquiry or consideration.

Let the committee set forth their own views on these points, dispassionately, fully, and candidly; let the argument be seen and heard; let the people be trusted with it; and I have no doubt that a fair discussion of the subject will produce its proper effect, both in and out of the Senate.

This, Sir, would have been, and is, the course of proceeding which appears to me to be prudent and just. The Senate, however, having decided otherwise, by a very large majority, I only say so much on the present occasion, as may suffice to make my own opinions known.

In reply to Mr. King, of Alabama, Mr. Webster said: —

I am not aware of having said any thing which can justify the remarks of the honorable member. By what authority does the gentleman say that I have placed myself at the head of these petitioners? The gentleman cannot be allowed, Sir, to assign to me any place or any character which I do not choose to take to myself. I have only expressed my opinion as to the course which it is prudent and wise in us all to adopt, in disposing of these petitions.

It is true that, while the question on the reception of the petitions was pending, I observed that I should hold back these petitions till that question was decided. It is decided. The Senate has decided to receive the petitions; and being received, the manner of treating them must necessarily be settled. The origin of the authority of Congress over this District; the views and objects of the States in ceding the territory; the little interest which this government has in the general question of slavery, and the great magnitude of the

interest which individual States have in it; the great danger to the government itself of agitating the question here while things remain in their present posture in the States around us, — these, Sir, are considerations all intimately belonging to the question, as I think, and which a competent committee would naturally present to the Senate and to the public.

Mr. President, I feel bound to make one further remark. Whatever gentlemen may think of it, I assure them that these petitions, at least in many cases, have no factious origin, no political or party origin. Such may be the origin of some of them. I am quite sure it is not of all. Many of them arise from a sense of religious duty; and that is a feeling which should be reasoned with, but cannot be suppressed by a mere summary exercise of authority. I wish that all reasonable men may be satisfied with our proceedings; and that we may so act in regard to the whole matter as shall promote harmony, strengthen the bonds of our Union, and increase the confidence, both of the North and the South. in this government.

THE LOUISVILLE CANAL.

Remarks made in the Senate of the United States, on the Bill to authorize the Purchase, on the Part of the Government, of the Private Stock in the Louisville and Portland Canal, on the 25th of May, 1836.

Mr. President, — I regret the warmth with which my friend from Ohio,* and my friend from Louisiana,† have spoken on this occasion; but while I regret it, I can hardly say I blame it. They have expressed disappointment, and I think they may well feel disappointment. I confess, Sir, I feel disappointment also. Looking to the magnitude of this object, looking to its highly-interesting character to the West, looking to the great concern which our Western friends have manifested for its success, I myself feel, not only disappointment, but, in some degree, mortification, at the result of the vote which has now been taken. That

* Mr. Ewing. † Mr. Porter.

vote, if it stands, must be decisive of the success of the measure.

No doubt, Sir, it is altogether vain to pass this bill, unless it contain such provisions as will induce the stockholders in the corporation to part with their interests.

In the first place, Sir, why do we hear so much reproach and denunciation against the members of this corporation? Have they not hazarded their property in an undertaking of great importance and utility to the country? Has not Congress itself encouraged their enterprise, by taking a part of the stock on account of the government? Are we not ourselves shareholders in this company? Their tolls, it is said, are large; that is true. Yet not only did they run all the risks usually attending such enterprises, but, even with their large tolls, all their receipts, up to this hour, by no means give a return from their capital equal to the ordinary interest of money in that part of the country.

There appears to me very great injustice in speaking of their tolls as "fines," and "penalties," and unjust impositions, or of their charter as an odious monopoly. Who called it so, or who so thought of it when it was granted to them? Who but they were willing to undertake the work, to advance the money, and to run the risks and chances of failure? Who then blamed, reproached, or denounced the enterprising individuals who hazarded their money in a project to make a canal around the Falls of the Ohio? Who then spoke of their tolls as impositions, fines, and penalties? Nobody, Sir. Then all was encouragement and cheering onward. The cry was then, Go on! run the hazard; try the experiment; let our vessels and boats have a passage round this obstruction; make an effort to overcome this great obstacle. If you fail, the loss, indeed, will be yours; but if you succeed, all the world will agree that you ought to be fairly and fully remunerated for the risk and expenditure of capital.

Sir, we are bound in all justice and fairness to respect the legal rights of these corporators. For one, I not only respect their legal rights, but I honor their enterprise, I commend their perseverence, and I think they deserve well of the community.

But nevertheless, Sir, I am for making this navigation free. If there were no canal, I should be for making one, or for devising other modes of removing the obstructions in the river. As there is a canal, now the subject of private ownership and private property, I am for buying it out, and opening it, toll free, to all who navigate the river. In my opinion, this work is of importance enough to demand the attention of government. To be sure it is but a canal, and a canal round the falls of a river; but that river is the Ohio. It is one of those vast streams which form a part of the great water communication of the West. It is one of those running seas which bear on their bosom the riches of Western commerce. It is a river; but to the uses of man, to the purposes of trade, to the great objects of communication, it is one of those rivers which has the character of an ocean. Indeed, when one looks at the map, and glances his eye on all these rivers, he sees at once water enough to constitute or to fill an ocean, pouring from different, distant, and numerous sources, and flowing many thousand miles, in various channels, with breadth and depth of water in each sufficient for all the purposes of rapid communication and extensive trade. And if, in any portion of these inland seas, we find obstructions which the hand of man can remove, who can say that such removal is not an object worthy the attention of government?

Whoever, Mr. President, would do his duty, and his whole duty, in the councils of this government, must look upon the country as it is, in its whole length and breadth. He must comprehend it in its vast extent, its novel character, its sudden development, its amazing progress, confounding all calculation, and almost overwhelming the imagination. Our rivers are not the rivers of the European world. We have not to deal with the Trent, the Thames, and the Severn. With us, at least in this part of our country, navigation from the sea does not stop where the tide stops. Our ports and harbors are not at the mouths of rivers only, or at the head of the tides of the sea. Hundreds of miles, nay, thousands of miles, beyond the point where the tides of the ocean are felt, deep waters spread out, and capacious harbors open

themselves to the reception of a vast and increasing navigation.

To be sure, Sir, this is a work of internal improvement; but it is not on that account either the less constitutional or the less important. Sir, I have taken a part in this great struggle for internal improvement from the beginning, and I shall hold out to the end. Whoever may follow, or whoever may fly, I shall go straightforward for all those constitutional powers, and for all that liberal policy, which I have heretofore supported.

I remember, Sir, and, indeed, a very short memory might retain the recollection, when the first appropriations for harbors on the great lakes were carried through this body, not without the utmost difficulty, and against the most determined opposition. I remember when Lake Ontario, Lake Erie, and Lake Michigan were likely to be condemned to a continuance in the state in which nature and the Indian tribes had left them, with no proof upon their shores of the policy of a civilized state, no harbors for the shelter of a hundred vessels, no lighthouse even to point out to the inland navigator the dangers of his course. I remember even when the harbor of Buffalo was looked upon either as unimportant in itself, or, if not unimportant, yet as shut out from the care and the aid of Congress by a constitutional interdiction of works of internal improvement. But, Sir, in this case, as in others, the doctrine of internal improvement has established itself by its own necessity, its own obvious and confessed utility, and the benefits which it has already so widely conferred. So it will be, I have no doubt, in the case before us. We shall wonder hereafter who could doubt the propriety of setting free the navigation of the Ohio, and shall wonder that it was delayed even so long.

Mr. President, on the question of constitutional power, I entertain not a particle of doubt. How is it, let me ask, that we appropriate money for harbors, piers, and breakwaters on the sea coast? Where do we find power for this? Certainly in no part of the Constitution in which we cannot find equal power to pass this bill. The same clause covers such appropriations, inland as well as on the sea coast,

or else it covers neither. We have foreign commerce, and we have internal commerce; and the power, and the duty also, of regulating, protecting, aiding, and fostering both, is given in the same words. For one, therefore, Sir, I look to the magnitude of the object, and not to its locality. I ask not whether it be east or west of the mountains. There are no Alleghanies in my politics.

I care not whether it be an improvement on the shore of the sea, or on the shore of one of those mighty rivers, so much like a sea, which flow through our vast interior. It is enough for me to know that the object is a good one, an important one, within the scope of our powers, and called for by the fair claims of our commerce. So that it be in the Union, so that it be within the twenty-four States, or the twenty-six States, it cannot be too remote for me. This feeling, Sir, so natural, as I think, to true patriotism, is the dictate also of enlightened self-interest. Were I to look only to the benefits of my own immediate constituents, I should still support this measure. Is not *our* commerce floating on these Western rivers? Are not *our* manufactures ascending them all, by day and night, by the power of steam, which is incessantly impelling a thousand engines, and forcing upwards, against their currents, hundreds of thousands of tons of freight? If these cargoes be lost, if they be injured, if their progress be delayed, if the expense of their transportation be increased, who does not see that all interested in them become sufferers? Who does not see that every producer, every manufacturer, every trader, every laborer, has an interest in these improvements? Surely, Sir, this is one of the cases in which the interest of the whole is the interest of each. Every man has his dividend out of this augmented public advantage. But if it were not so, if the effect were more local, if the work were useful to the Western States alone, or useful mainly to Kentucky and Indiana alone, still I should think it a case fairly within our power, and important enough to demand our attention.

But, Mr. President, I felt the more pain at the result of the last vote of the Senate on account of those Western gentlemen who are so much interested in this measure, and

who have uniformly supported appropriations for other parts of the country, which, though just and proper, are, as it seems to me, no more just and proper than this.

These friends have stood by us. They have uniformly been found at our side, in the contest about internal improvement. They have upheld that policy, and have gone with us through good report and evil report. And I now tell them that I shall stand by them. I shall be found where they look for me. I have asked their votes, once and again, for objects important to the Atlantic States. They have liberally given those votes. They have acted like enlightened and wise statesmen. I have duly estimated the high justice and liberality of their conduct. And having now an object interesting to them and to their constituents, a just object and a great object, they have a right to find me at their side, acting with them, acting according to my own principles, and proving my own consistency. And so they shall find me; and so they do find me. On this occasion I am with them; I am one of them. I am as Western a man, on this bill, as he among them who is most Western. This chair must change its occupant, another voice will address the Senate from this seat, before an object of this nature, so important, so constitutional, so expedient, so highly desirable to a great portion of the country, and so useful to the whole, shall fail here, for the want, either of a decisive vote in its support, or of an earnest recommendation of it to the support of others.

PROTEST AGAINST THE EXPUNGING RESOLUTION.

Remarks made in the Senate of the United States, on the 16th of January, 1837, by Way of Protest against expunging the Resolution of the 28th of March, 1834, from the Journal.

MR. PRESIDENT, — Upon the truth and justice of the original resolution of the Senate, and upon the authority of the Senate to pass that resolution, I had an opportunity to express my opinions at a subsequent period, when the Pres-

ident's Protest was before us. Those opinions remain altogether unchanged.

And now, had the Constitution secured the privilege of entering a PROTEST on the journal, I should not say one word on this occasion; although, if what is now proposed shall be accomplished, I know not what would have been the value of such a protest, however formally or carefully it might have been inserted in the body of that instrument.

But as there is no such constitutional privilege, I can only effect my purpose by thus addressing the Senate; and I rise, therefore, to make that PROTEST in this manner, in the face of the Senate and in the face of the country, which I cannot present in any other form.

I speak in my own behalf, and in behalf of my colleague; we both speak as Senators from the State of Massachusetts, and, as such, we solemnly PROTEST against this whole proceeding.

We deny that Senators from other States have any power or authority to expunge any vote or votes which we have given here, and which we have recorded, agreeably to the express provision of the Constitution.

We have a high personal interest, and the State whose representatives we are has also a high interest, in the preservation entire of every part and parcel of the record of our conduct, as members of the Senate.

This record the Constitution solemnly declares shall be *kept;* but the resolution before the Senate declares that this record shall be *expunged.*

Whether subterfuge and evasion, and, as it appears to us, the degrading mockery of drawing black lines upon the journal, shall or shall not leave our names and our votes legible, when this violation of the record shall have been completed, still the terms "to expunge" and the terms "to keep," when applied to a record, import ideas exactly contradictory; as much so as the terms "to preserve" and the terms "to destroy."

A record which is *expunged* is not a record which is *kept*, any more than a record which is *destroyed* can be a record

which is *preserved.* The part expunged is no longer part of the record; it has no longer a legal existence. It cannot be certified as a part of the proceedings of the Senate for any purpose of proof or evidence.

The object of the provision in the Constitution, as we think, most obviously is, that the proceedings of the Senate shall be preserved in writing, not for the present only, not until published only, because a copy of the printed journal is not regular legal evidence; but preserved indefinitely; preserved, as other records are preserved, till destroyed by time or accident.

Every one must see that matters of the highest importance depend on the permanent preservation of the journals of the two houses. What but the journals show that bills have been regularly passed into laws, through the several stages; what but the journals show who are members, or who is President, or Speaker, or Secretary, or Clerk of the body? What but the journals contain the proof necessary for the justification of those who act under our authority, and who, without the power of producing such proof, must stand as trespassers? What but the journals show who is appointed, and who rejected, by us, on the President's nomination; or who is acquitted, or who convicted, in trials on impeachment? In short, is there, at any time, any other regular and legal proof of any act done by the Senate than the journal itself?

The idea, therefore, that the Senate is bound to preserve its journal only until it is published, and then may alter, mutilate, or destroy it at pleasure, appears to us one of the most extraordinary sentiments ever advanced.

We feel grateful to those friends who have shown, with so much clearness, that all the precedents relied on to justify or to excuse this proceeding are either not to the purpose, or, from the times and circumstances at and under which they happened, are no way entitled to respect in a free government, existing under a written constitution. But for ourselves, we stand on the plain words of that Constitution itself. A thousand precedents elsewhere made, whether

ancient or modern, can neither rescind, nor control, nor explain away these words.

The words are, that "each house shall KEEP a journal of its proceedings." No gloss, no ingenuity, no specious interpretation, and much less any fair or just reasoning, can reconcile the process of expunging with the plain meaning of these words, to the satisfaction of the common sense and honest understanding of mankind.

If the Senate may now expunge one part of the journal of a former session, it may, with equal authority, expunge another part, or the whole. It may expunge the entire record of any one session, or of all sessions.

It seems to us inconceivable how any men can regard such a power, and its exercise at pleasure, as consistent with the injunction of the Constitution. It can make no difference what is the completeness or incompleteness of the act of expunging, or by what means done; whether by erasure, obliteration, or defacement; if by defacement, as here proposed, whether one word or many words are written on the face of the record; whether little ink or much ink is shed on the paper; or whether some part, or the whole, of the original written journal may yet by possibility be traced. If the act done be an act to expunge, to blot out, to obliterate, to erase the record, then the record is expunged, blotted out, obliterated, and erased. And mutilation and alteration violate the record as much as obliteration or erasure. A record, subsequently altered, is not the original record. It no longer gives a just account of the proceedings of the Senate. It is no longer true. It is, in short, no journal of the real and actual proceedings of the Senate, such as the Constitution says each house shall keep.

The Constitution, therefore, is, in our deliberate judgment, violated by this proceeding, in the most plain and open manner.

The Constitution, moreover, provides that the *yeas and nays*, on any question, shall, at the request of one fifth of the members present, *be entered on the journal.* This provision, most manifestly, gives a personal right, to those

members who may demand it, to the entry and preservation of their votes on the record of the proceedings of the body, not for one day or one year only, but for all time. There the *yeas and nays* are to stand, for ever, as permanent and lasting proof of the manner in which members have voted on great and important questions before them.

But it is now insisted that the votes of members taken by *yeas and nays*, and thus entered on the journal, as matter of right, may still be expunged; so that that which it requires more than four fifths of the Senators to prevent from being put on the journal may, nevertheless, be struck off, and erased, the next moment, or at any period afterwards, by the will of a mere majority; or if this be denied, then the absurdity is adopted of maintaining that this provision of the Constitution is fulfilled by merely preserving the *yeas and nays* on the journal, after having expunged and obliterated the very resolution, or the very question, on which they were given, and to which alone they refer; leaving the *yeas and nays* thus a mere list of names, connected with no subject, no question, no vote. We put it to the impartial judgment of mankind, if this proceeding be not in this respect also directly and palpably inconsistent with the Constitution.

We protest, in the most solemn manner, that other Senators have no authority to deprive us of our personal rights, secured to us by the Constitution, either by expunging, or obliterating, or mutilating, or defacing the record of our votes, duly entered by *yeas and nays;* or by expunging and obliterating the resolutions or questions on which these votes were given and recorded.

We have seen, with deep and sincere pain, the legislatures of respectable States instructing the Senators of those States to vote for and support this violation of the journal of the Senate; and this pain is infinitely increased by our full belief, and entire conviction, that most, if not all, these proceedings of States had their origin in promptings from Washington; that they have been urgently requested and insisted on, as being necessary to the accomplishment of the intended purpose; and that it is nothing else but the influence and power of the executive branch of this government

which has brought the legislatures of so many of the free States of this Union to quit the sphere of their ordinary duties, for the purpose of coöperating to accomplish a measure, in our judgment, so unconstitutional, so derogatory to the character of the Senate, and marked with so broad an impression of compliance with power.

But this resolution is to pass. We expect it. That cause which has been powerful enough to influence so many State legislatures will show itself powerful enough, especially with such aids, to secure the passage of the resolution here.

We make up our minds to behold the spectacle which is to ensue. We collect ourselves to look on in silence, while a scene is exhibited, which, if we did not regard it as a ruthless violation of a sacred instrument, would appear to us to be little elevated above the character of a contemptible farce. This scene we shall behold, and hundreds of American citizens, as many as may crowd into these lobbies and galleries, will behold it also; with what feelings I do not undertake to say.

But we PROTEST, we most solemnly PROTEST, against the substance and against the manner of this proceeding; against its object, against its form, and against its effect. We tell you that you have no right to mar or mutilate the record of our votes given here, and recorded according to the Constitution; we tell you that we may as well erase the *yeas and nays* on any other question or resolution, or on all questions and resolutions, as on this; we tell you that you have just as much right to falsify the record, by so altering it as to make us appear to have voted on any question as we did not vote, as you have to erase a record, and make that page a blank in which our votes, as they were actually given and recorded, now stand. The one proceeding, as it appears to us, is as much a falsification of the record as the other.

Having made this PROTEST, our duty is performed. We rescue our own names, character, and honor from all participation in this matter; and whatever the wayward character of the times, the headlong and plunging spirit of party devotion, or the fear or the love of power, may have

been able to bring about elsewhere, we desire to thank God that they have not, as yet, overcome the love of liberty, fidelity to true republican principles, and a sacred regard for the Constitution, in that State whose soil was drenched to a mire by the first and best blood of the Revolution. Massachusetts, as yet, has not been conquered; and while we have the honor to hold seats here as her Senators, we shall never consent to the sacrifice either of her rights or our own; we shall never fail to oppose what we regard as a plain and open violation of the Constitution of the country; and we should have thought ourselves wholly unworthy of her, if we had not, with all the solemnity and earnestness in our power, PROTESTED against the adoption of the resolution now before the Senate.

A NATIONAL BANK.

Remarks made in the Senate of the United States, on the 8th of February, 1837, on presenting a Petition of a large Number of the Merchants of New York, for the Establishment of a National Bank.

I RISE, Mr. President, for the purpose of presenting to the Senate a petition signed by fourteen or fifteen hundred mercantile houses in the city of New York, praying for the establishment of a national bank in that city. These petitioners, Sir, set forth that, in their opinion, a national bank is the only remedy of a permanent character for the correction of the evils now affecting the currency of the country and the commercial exchanges. The petition is accompanied by a short communication from the committee raised for the purpose of preparing the petition, in which they state, what I believe to be true, from some knowledge of my own, that the petition is subscribed without reference to political distinctions; and they inform us, on the authority of their own observation and knowledge, that, in their opinion, on no subject did the mercantile community of New York ever address Congress with more entire unanimity than they now approach it, in favor of a national bank.

Mr. President, my own opinions on this subject have long

been known; and they remain now what they always have been. The constitutional power of Congress to create a bank is made more apparent by the acknowledged necessity which the government is under to use some sort of banks as fiscal agents. The argument stated the other day by the member from Ohio, opposite to me, and which I have suggested often heretofore, appears to me unanswerable; and that is, that, if the government has the power to use corporations in the fiscal concerns of the country, it must have the power to create such corporations. I have always thought that, when, by law, both houses of Congress declared the use of State banks necessary to the administration of the revenue, every argument against the constitutional power of Congress to create a Bank of the United States was thereby surrendered; that it is plain that, if Congress has the power to adopt banks for the particular use of the government, it has the power to create such institutions also, if it deem that mode the best. No government creates corporations for the mere purpose of giving existence to an artificial body. It is the end designed, the use to which it is to be applied, that decides the question, in general, whether the power exists to create such bodies. If such a corporation as a bank be necessary to government; if its use be indispensable, and if, on that ground, Congress may take into its service banks created by States, over which it has no control, and which are but poorly fitted for its purposes, how can it be maintained that Congress may not create a bank, by its own authority, responsible to itself, and well suited to promote the ends designed by it?

Mr. President, when the subject was last before the Senate, I expressed my own resolution not to make any movement towards the establishment of a national bank, till public opinion should call for it. In that resolution I still remain. But it gives me pleasure to have the opportunity of presenting this petition, out of respect to the signers; and I have no unwillingness certainly to have a proper opportunity of renewing the expression of my opinions on the subject, although I know that, so general has become the impression hostile to such an institution, any movement here would be

vain till there is a change in public opinion. That there will be such a change I fully believe; it will be brought about, I think, by experience and sober reflection among the people; and when it shall come, then will be the proper time for a movement on the subject in the public councils. Not only in New York, but from here to Maine, I believe it is now the opinion of five sixths of the whole mercantile community, that a national bank is indispensable to the steady regulation of the currency, and the facility and cheapness of exchanges. The board of trade at New York presented a memorial in favor of the same object some time ago. The Committee on Finance reported against the prayer of the petitioners, as was to have been expected from the known sentiments of a majority of that committee. In presenting this petition now to the consideration of the Senate, I have done all that I purpose on this occasion, except to move that the petition be laid on the table and printed.

Sir, on the subjects of currency and of the exchanges of commerce, experience is likely to make us wiser than we now are. These highly-interesting subjects, interesting to the property, the business, and the means of support of all classes, ought not to be connected with mere party questions and temporary politics. In the business and transactions of life, men need security, steadiness, and a permanent system. This is the very last field for the exhibition of experiments, and I fervently hope that intelligent men, in and out of Congress, will coöperate in measures which may be reasonably expected to accomplish these desirable objects, desirable and important alike to all classes and descriptions of people.

THE MADISON PAPERS.

Remarks made in the Senate of the United States, on the 20th of February, 1837, in Relation to the Purchase of the Manuscript Papers of Mr. Madison.

MR. PRESIDENT,—I suppose there is no member of the Senate who regards the sum proposed to be given for these manuscripts as too large, if the appropriation is within the just field of our constitutional powers. Now, what is the object of this appropriation? The Senate sits under a Constitution which has now endured more than fifty years, which was formed under very peculiar circumstances, under a great exigency, and in a manner in which no constitution was ever formed in any other country, on principles of united and yet divided legislation, altogether unexampled in the history of free states. I agree fully in the sentiment that the constant rule of interpretation to be applied to this instrument is, that its restrictions are contained in itself, and that it is to be made, as far as possible, its own interpreter. I also agree that the practice under the government, for a long course of years, and the opinions of those who both formed the instrument, and afterward aided in carrying it into effect by laws passed under its authority, are to be the next source of interpretation; and it seems to me that the measure now proposed is of great importance, both in connection with the Constitution itself, and with the history of its interpretation. I shall not now speak of the political opinions of Mr. Madison. I look only to the general facts of the case. It is well known that the convention of great men who formed our Constitution sat with closed doors; that no report of their proceedings was published at that time; and that their debates were listened to by none but themselves and the officers in attendance. We have, indeed, the official journal kept by their order. It is an important document, but it informs us only of their official acts. We get from it nothing whatever of the debates of that illustrious body. Besides this, there are only a few published sketches, more or less valuable. But the connection of Mr. Madison with the Constitution and the government, and his profound knowledge of all that related to both, would neces-

sarily give to any reports which he should have taken a superior claim to accuracy. It was his purpose, when he entered the body, to report its whole proceedings. He chose a position which best enabled him to do so; nor was he absent a single day during the whole period of its sittings. It was further understood that his report of the leading speeches had been submitted to the members for correction. The fact was well known to them all, that he was thus collecting materials for a detailed report of their proceedings. Without, therefore, seeing a page of these manuscripts, it is reasonable to conclude that they must contain matter not only highly interesting, but very useful; and it is my impression that, among this class of cases, the Senate could not better consult the wishes and interests of the American people than by letting them see a document of this character, from the pen of such a man as Mr. Madison. That gentleman was more connected with the Constitution than almost any other individual. He was present in that little assemblage that met at Annapolis in 1786, with whom the idea of the Convention originated. He was afterwards a member of the convention of Virginia which ratified the Constitution. He was next a member of the first Congress, and took an important lead in the great duties of its legislation under that Constitution in the formation of which he had acted so conspicuous a part. He afterwards filled the important station of Secretary of State, and was subsequently for eight years President of the United States. Thus, his whole life was intimately connected, first with the formation, and then with the administration, of the Constitution.

Mr. President, I see no constitutional objection to the purchase of these manuscripts. Why do Congress purchase every year works on history, geography, botany, metaphysics, and morals? How was it that they purchased a collection of works of the most miscellaneous character from Mr. Jefferson? The manuscripts in question stand in a different relation. They relate immediately and intimately to the nation's own affairs, and especially to the construction of that great instrument under which the houses of Congress are now sitting. If the doctrine advanced by the

Senator from South Carolina is to prevail, Congress ought forthwith to clear its library of every thing but the state papers. My views on the Constitution are well known; whether an inspection of these papers will confirm and strengthen the views I entertain respecting that instrument, I cannot say; but certainly, if they were now within my reach, I should be very eager to read them; and their examination would be one of the very first things that I should engage in. A report of such debates, from such a pen, cannot but be of the highest importance, and its perusal is well calculated to gratify a rational curiosity. It may throw much light on the early interpretation of the Constitution, and on the nature and structure of our government. But while it produces this effect, it may do more than all other things to show to the people of the United States through what conciliation, through what a temper of compromise, through what a just yielding of the judgment of one individual to that of another, through what a spirit of manly brotherly love, that assembly of illustrious men were enabled finally to agree upon the form of a Constitution for their country, and succeeded in conferring so great a good upon the American people.

RECEPTION AT MADISON.

Speech delivered at Madison, in the State of Indiana, on the 1st of June, 1837.

Governor Hendricks presided, and Mr. Marsh addressed Mr. Webster, and sincerely and cordially welcomed him to Madison.

Mr. Webster replied: —

If, fellow-citizens, I can make myself heard by this numerous assembly, speaking, as I do, in the open air, I will return to you my heartfelt thanks for the kindness you have shown me. I come among you a stranger. On the day before yesterday I placed my foot, for the first time, on the soil of the great and growing State of Indiana. Although I have lived on terms of great intimacy and friendship with several Western gentlemen, members of Congress, among

whom is your estimable townsman near me, (Governor Hendricks,) I have never before had an opportunity of seeing and forming an acquaintance for myself with my fellow-citizens of this section of the Union. I travel for this purpose. I confess that I regard with astonishment the evidences of intelligence, enterprise, and refinement every where exhibited around me, when I think of the short time that has elapsed since the spot where I stand was a howling wilderness. Since I entered public life, this State was unknown as a political government. All the country west of the Alleghanies and north-west of the Ohio constituted but one Territory, entitled to a single delegate in the councils of the nation, having the right to speak, but not to vote. Since then, the States of Ohio, Indiana, Illinois, Michigan, and the long strip of country known as the Territory of Wisconsin, have been carved out of it. Indiana, which numbers but twenty years since the commencement of her political existence, contains a population of six hundred thousand, equal to the population of Massachusetts, a State of two hundred years' duration. In age she is an infant; in strength and resources a giant. Her appearance indicates the full vigor of maturity, while, measured by her years, she is yet in the cradle.

Although I reside in a part of the country most remote from you, although I have seen you spring into existence and advance with rapid strides in the march of prosperity and power, until your population has equalled that of my own State, which you far surpass in fertility of soil and mildness of climate; yet these things have excited in me no feelings of dislike, or jealousy, or envy. On the contrary, I have witnessed them with pride and pleasure, when I saw in them the growth of a member of our common country; and with feelings warmer than pride, when I recollect that there are those among you who are bone of my bone and flesh of my flesh, who inherit my name and share my blood. When they came to me for my advice, before leaving their hearths and homes, I did not oppose their desires or suggest difficulties in their paths. I told them, "Go and join your destinies with those hardy pio-

neers of the West, share their hardships, and partake their fortunes; go, and God speed you; only carry with you your own good principles, and whether the sun rises on you, or sets on you, let it warm American hearts in your bosoms."

Though, as I observed, I live in a part of the country most remote from you, fellow-citizens, I have been no inattentive observer of your history and progress. I have heard of the reports made in your legislature, and the acts passed in pursuance thereof. I have traced on the map of your State the routes marked out for extensive turnpikes, railroads, and canals. I have read with pleasure the acts providing for their establishment and completion. I do not pretend to offer you my advice; it would perhaps be presumptuous; but you will permit me to say, that, as far as I have examined them, they are conceived in wisdom, and evince great political skill and foresight. You have commenced at the right point. To open the means of communication, by which man may, when he wishes, see the face of his friend, should be the first work of every government. We may theorize and speculate about it as we please — we may understand all the metaphysics of politics; but if men are confined to the narrow spot they inhabit, because they have not the means of travelling when they please, they must go back to a state of barbarism. Social intercourse is the corner stone of good government. The nation that provides no means for the improvement of its communications, has not taken the first step in civilization. Go on, then, as you have begun; prosecute your works with energy and perseverance; be not daunted by imaginary difficulties, be not deterred by exaggerated calculations of their cost. Go on; open your wilderness to the sun; turn up the soil; and in the wide-spread and highly-cultivated fields, the smiling villages, and the busy towns that will spring up from the bosom of the desert, you will reap a rich reward for your investment and industry.

Another of the paramount objects of government, to which I rejoice to see that you have turned your attention, is education. I speak not of college education, nor of academy

education, though they are of great importance; I speak of free school education, common school education.

Among the luminaries in the sky of New England, the burning lights which throw intelligence and happiness on her people, the first and most brilliant is her system of common schools. I congratulate myself that my first speech on entering public life was in their behalf. Education, to accomplish the ends of good government, should be universally diffused. Open the doors of the school house to all the children in the land. Let no man have the excuse of poverty for not educating his own offspring. Place the means of education within his reach, and if they remain in ignorance, be it his own reproach. If one object of the expenditure of your revenue be protection against crime, you could not devise a better or cheaper means of obtaining it. Other nations spend their money in providing means for its detection and punishment, but it is the principle of our government to provide for its never occurring. The one acts by *coercion*, the other by *prevention*. On the diffusion of education among the people rest the preservation and perpetuation of our free institutions. I apprehend no danger to our country from a foreign foe. The prospect of a war with any powerful nation is too remote to be a matter of calculation. Besides, there is no nation on earth powerful enough to accomplish our overthrow. Our destruction, should it come at all, will be from another quarter. From the inattention of the people to the concerns of their government, from their carelessness and negligence, I must confess that I do apprehend some danger. I fear that they may place too implicit a confidence in their public servants, and fail properly to scrutinize their conduct; that in this way they may be made the dupes of designing men, and become the instruments of their own undoing. Make them intelligent, and they will be vigilant; give them the means of detecting the wrong, and they will apply the remedy.

The gentleman who has just addressed me in such flattering, but unmerited terms, has been pleased to make kind mention of my devotion to the Constitution, and my humble efforts in its support. I claim no merit on that account.

It results from my sense of its surpassing excellences, which must strike every man who attentively and impartially examines it. I regard it as the work of the purest patriots and wisest statesmen that ever existed, aided by the smiles of a benignant Providence; for when we regard it as a system of government growing out of the discordant opinions and conflicting interests of thirteen independent States, it almost appears a Divine interposition in our behalf. I have always, with the utmost zeal and the moderate abilities I possess, striven to prevent its infraction in the slightest particular. I believed, if that bond of union were broken, we should never again be a united people. Where, among all the political thinkers, the constitution makers and the constitution menders of the day, could we find a man to make us another? Who would even venture to propose a reunion? Where would be the starting point, and what the plan? I do not expect miracles to follow each other. No plan could be proposed that would be adopted; the hand that destroys the Constitution rends our Union asunder for ever.

My friend has been pleased to remember, in his address, my humble support of the constitutional right of Congress to improve the navigation of our great internal rivers, and to construct roads through the different States. It is well known that few persons entertain stronger opinions on this subject than myself. Believing that the great object of the Union is to secure the general safety and promote the general welfare, and that the Constitution was designed to point out the means of accomplishing these ends, I have always been in favor of such measures as I deemed for the general benefit, under the restrictions and limitations prescribed by the Constitution itself. I supported them with my voice, and my vote, not because they were for the benefit of the West, but because they were for the benefit of the whole country. That they are local in their advantages, as well as in their construction, is an objection that has been and will be urged against every measure of the kind. In a country so widely extended as ours, so diversified in its interests and in the character of its people, it is impossible that the

operation of any measure should affect all alike. Each has its own peculiar interest, whose advancement it seeks; we have the sea coast, and you the noble river that flows at your feet. So it must ever be. Go to the smallest government in the world, the republic of San Marino, in Italy, possessing a territory of but ten miles square, and you will find its citizens, separated but by a few miles, having some interests which, on account of local situation, are separate and distinct. There is not on the face of the earth a plain, five miles in extent, whose inhabitants are all the same in their pursuits and pleasures. Some will live on a creek, others near a hill, which, when any measure is proposed for the general benefit, will give rise to jarring claims and opposing interests. In such cases, it has always appeared to me that the point to be examined was, whether the principle was general. If the principle were general, although the application might be partial, I cheerfully and zealously gave it my support. When an objection has been made to an appropriation for clearing the snags out of the Ohio River, I have answered it with the question, "Would you not vote for an appropriation to clear the Atlantic Ocean of snags, were the navigation of your coast thus obstructed? The people of the West contribute their portion of the revenue to fortify your sea coast, and erect piers, and harbors, and lighthouses, from which they derive a remote benefit; and why not contribute yours to improve the navigation of a river whose commerce enriches the whole country?"

In conclusion, my fellow-citizens, I return you my thanks for the patience and attention with which you have listened to me, and pray the beneficent Giver of all good, that he may keep you under the shadow of his wing, and continue to bless you with peace and prosperity.

THE CURRENCY.

Speech delivered in the Senate of the United States, on the 28th of September, 1837, on the Currency, and on the new Plan for collecting and keeping the Public Moneys.

MR. PRESIDENT, — I am opposed to the doctrines of the message, to the bill, and to the amendment of the member from South Carolina.

The government of the United States completed the forty-eighth year of its existence, under the present Constitution, on the third day of March last. During this whole period, it has felt itself bound to take proper care of the currency of the country; and no administration has admitted this obligation more clearly or more frequently than the last. For the fulfilment of this acknowledged duty, as well as to accomplish other useful purposes, a national bank has been maintained for forty out of these forty-eight years. Two institutions of this kind have been created by law; one commencing in 1791, and being limited to twenty years, expiring in 1811; the other commencing in 1816, with a like term of duration, and ending, therefore, in 1836. Both these institutions, each in its time, accomplished their purpose, so far as currency was concerned, to the general satisfaction of the country.

Two distinct classes of duties had been performed, in times past, by the Bank of the United States; one more immediately to the government, the other to the community. The first was the safe keeping and the transfer, when required, of the public moneys; the other, the supplying of a sound and convenient paper currency, of equal credit all over the country, and every where equivalent to specie, and the giving of most important facilities to the operations of exchange. These objects were highly important, and their perfect accomplishment by the "experiment" had been promised, from the first. The State banks, it was declared, could perform all these duties, and should perform them. But the "experiment" came to a dishonored end in the early part of last May. The deposit banks, with the others, stopped payment. They could not render back the deposits; and so far from being able to furnish a general currency, or

to assist exchanges, (purposes, indeed, which they never had fulfilled with any success,) their paper became immediately depreciated, even in its local circulation. What course, then, was the administration now to adopt? Why, Sir, it is plain that it had but one alternative. It must either return to the former practice of the government, take the currency into its own hands, and maintain it, as well as provide for the safe keeping of the public money by some institution of its own; or else, adopting some new mode of merely keeping the public money, it must abandon all further care over currency and exchange. One of these courses became inevitable. The administration had no other choice. The State banks could be no longer tried, with the opinion which the administration now entertained of them; and how else could any thing be done to maintain the currency? In no way, but by the establishment of a national institution.

There was no escape from this dilemma. One course was, to go back to that which the party had so much condemned; the other, to give up the whole duty, and leave the currency to its fate. Between these two, the administration found itself absolutely obliged to decide; and it has decided, and decided boldly. It has decided to surrender the duty, and abandon the Constitution. That decision is before us, in the message, and in the measures now under consideration. The choice has been made; and that choice, in my opinion, raises a question of the utmost importance to the people of this country, both for the present and all future time. That question is, WHETHER CONGRESS HAS, OR OUGHT TO HAVE, ANY DUTY TO PERFORM IN RELATION TO THE CURRENCY OF THE COUNTRY, BEYOND THE MERE REGULATION OF THE GOLD AND SILVER COIN.

Mr. President, the honorable member from South Carolina remarked, the other day, with great frankness and good humor, that, in the political classifications of the times, he desired to be considered as nothing but an honest nullifier. That, he said, was his character. I believe, Sir, the country will readily concede that character to the honorable gentleman. For one, certainly, I am willing to say that I believe him a very honest and a very sincere nullifier, using the term

in the same sense in which he used it himself, and in which he meant to apply it to himself. And I am very much afraid, Sir, that (whatever he may think of it himself) it has been under the influence of those sentiments which belong to his character as a nullifier, that he has so readily and so zealously embraced the doctrines of the President's message. In my opinion, the message, the bill before us, and the honorable member's amendment form, together, a system, a code of practical politics, the direct tendency of which is to nullify and expunge, or perhaps, more correctly speaking, by a united and mixed process of nullification and expunging, to abolish, a highly important and useful power of the government. It strikes down the principle upon which the government has been administered in regard to the subject of the currency, through its whole history; and it seeks to obliterate, or to draw black lines around, that part of the Constitution on which this principle of administration has rested. The system proposed, in my opinion, is not only anti-commercial, but anti-constitutional also, and anti-union, in a high degree.

You will say, Sir, that this is a strong way of stating an opinion. It is so. I mean to state the opinion in the strongest manner. I do not wish, indeed, at every turn, to say, of measures which I oppose, that they either violate or surrender the Constitution. But when in all soberness and candor I do so think, in all soberness and candor I must so speak; and whether the opinion which I have now expressed be true, let the sequel decide.

Now, Sir, my present purpose is chiefly to maintain two propositions: —

I. That it is the constitutional duty of this government to see that a proper currency, suitable to the circumstances of the times, and to the wants of trade and business, as well as to the payment of debts due to government, be maintained and preserved; a currency of general credit, and capable of aiding the operations of exchange, so far as those operations may be conducted by means of the circulating medium; and that there are duties, therefore, devolving on Congress, in relation to currency, beyond the mere regulation of the gold and silver coins.

II. That the message, the bill, and the proposed amend ment, all, in effect, deny any such duty, disclaim all such power, and confine the constitutional obligation of government to the mere regulation of the coin, and the care of its own revenues.

Before entering into the discussion of the grounds of this proposition, however, allow me, Sir, a few words by way of preliminary explanation. In the first place, I wish it to be observed, that I am now contending only for the general principle, and not insisting either on the constitutionality or expediency of any particular means or any particular agent. I am not saying by what instrument or agent Congress ought to perform this duty; I only say it is a duty, which, in some mode and by some means, Congress is bound to perform. In the next place, let it be remembered that I carry the absolute duty of government in regard to exchange no further than the operations of exchange may be performed by currency. No doubt, Sir, a proper institution, established by government, might, as heretofore, give other facilities to exchange, of great importance and to a very great extent. But I intend, on this occasion, to keep clearly within the Constitution, and to assign no duty to Congress not plainly enjoined by the provisions of that instrument, as fairly interpreted, and as heretofore understood.

The President says, it is not the province of government to aid individuals in the transfer of their funds otherwise than by the use of the post office; and that it might as justly be called on to provide for the transportation of their merchandise. Now, I beg leave to say, Sir, with all respect and deference, that funds are transferred from individual to individual usually for the direct purpose of the payment and receipt of debts; that payment and receipt are duties of currency; that, in my opinion, currency is a thing which government is bound to provide for and superintend; that the case, therefore, has not the slightest resemblance to the transportation of merchandise, because the transportation of merchandise is carried on by ships and boats, by carts and wagons, and not by the use of currency, or any thing else over which government has usually exclusive control. These

things individuals can provide for themselves. But the transfer of funds is done by credit, and must be so done; and some proper medium for this transfer it is the duty of government to provide, because it belongs to currency, to money, and is therefore beyond the power of individuals.

The nature of exchange, Sir, is well understood by persons engaged in commerce; but as its operations are a little out of the sight of other classes of the community, although they have all a deep and permanent interest in the subject, I may be pardoned for a word or two of general explanation. I speak of domestic exchanges only. We mean, then, by exchange, this same transfer of funds. We mean the making of payment in a distant place, or the receiving of payment from a distant place, by some mode of paper credits. If done by draft, order, or bill of exchange, that is one form; if done by the transmission of bank notes, through the post office, or otherwise, that is another form. In each, credit is used; in the first, the credit of the parties whose names are on the bill or draft; in the last, the credit of the bank. Every man, Sir, who looks over this vast country, and contemplates the commercial connection of its various parts, must see the great importance that this exchange should be cheap and easy. To the producer and to the consumer, to the manufacturer and the planter, to the merchant, to all, in all classes, this is a matter of moment. We may see an instance in the common articles of manufacture produced in the North and sent to the South and West for sale and consumption. Hats, shoes, furniture, carriages, domestic hardware, and various other articles, the produce of those manufactures, and of employments carried on without the aid of large capital, constitute a large part of this trade, as well as the fabrics of cotton and wool. Now, a state of exchange which shall enable the producers to receive payment regularly, and without loss, is indispensable to any useful prosecution of this intercourse. Derangement of currency and exchange is ruinous. The notes of local banks will not answer the purpose of remittance; and if bills of exchange cannot be had, or can be had only at a high rate, how is payment to be received, or to be received

without great loss? This evil was severely felt, even before the suspension of specie payment by the banks; and it will always be felt, more or less, till there is a currency of general credit and circulation through the country.

The power over the coinage is not the strongest, nor the broadest, ground on which to place the duty of Congress. There is another power granted to Congress, which seems to me to apply to this case directly and irresistibly, and that is the commercial power. The Constitution declares, that Congress shall have power to regulate commerce, not only with foreign nations, *but between the States.* This is a full and complete grant, and must include authority over every thing which is part of commerce, or essential to commerce. And is not money essential to commerce? No man in his senses can deny that; and it is equally clear, that whatever paper is put forth, with intent to circulate as currency, or to be used as money, immediately affects commerce. Bank notes, in a strict and technical sense, are not, indeed, money; but in a general sense, and often in a legal sense, they are money. They are substantially money, because they perform the functions of money. They are not like bills of exchange or common promissory notes, mere proofs or evidences of debt, but are treated as money, in the general transactions of society. If receipts be given for them, they are given as for money. They pass under a legacy, or other form of gift, as money. And this character of bank notes was as well known and understood at the time of the adoption of the Constitution as it is now. The law, both of England and America, regarded them as money, in the sense above expressed. If Congress, then, has power to regulate commerce, it must have a control over that money, whatever it may be, by which commerce is actually carried on. Whether that money be coin or paper, or however it has acquired the character of money or currency, if, in fact, it has become an actual agent or instrument in the performance of commercial transactions, it necessarily thereby becomes subject to the regulation and control of Congress. The regulation of money is not so much an inference from the commercial power conferred on Congress, as it is a part of

it. Money is one of the things, without which, in modern times, we can form no practical idea of commerce. It is embraced, therefore, necessarily, in the terms of the Constitution.

But, Sir, as will be seen by the proposition which I have stated, I go further; I insist that the duty of Congress is commensurate with its power; that it has authority not only to regulate and control that which others may put forth as money and currency, but that it has the power, and is bound to perform the duty, of seeing that there is established and maintained, at all times, a currency of general credit, equivalent in value to specie, adapted to the wants of commerce and the business of the people, and suited to the existing circumstances of the country. Such a currency is an instrument of the first necessity to commerce, according to the commercial system of the present age; and without it commerce cannot be conducted to full advantage. It is in the power of Congress to furnish it, and it is in the power of nobody else. The States cannot supply it. That resource has often been tried, and has always failed. I am no enemy to the State banks; they may be very useful in their spheres; but you can no more cause them to perform the duties of a national institution, than you can turn a satellite into a primary orb. They cannot maintain a currency of equal credit all over the country. It might be tried, Sir, in your State of Kentucky, or our State of Massachusetts. We may erect banks on all the securities which the wit of man can devise; we may have capital, we may have funds, we may have bonds and mortgages, we may add the faith of the State, we may pile Pelion upon Ossa; they will be State institutions after all, and will not be able to support a national circulation. This is inherent in the nature of things, and in the sentiments of men. It is in vain to argue that it ought not to be so, or to contend that one bank may be as safe as another. Experience proves that it is so, and we may be assured it will remain so.

Sir, mine is not the ruthless hand that shall strike at the State banks, nor mine the tongue that shall causelessly upbraid them with treachery or perfidy. I admit their lawful

existence; I admit their utility in the circle to which they properly belong. I only say, they cannot perform a national part in the operations of commerce. A general and universally accredited currency, therefore, is an instrument of commerce, which is necessary to the enjoyment of its just advantages, or, in other words, which is essential to its beneficial regulation. Congress has power to establish it, and no other power can establish it; and therefore Congress is bound to exercise its own power. It is an absurdity, on the very face of the proposition, to allege that Congress shall regulate commerce, but shall, nevertheless, abandon to others the duty of maintaining and regulating its essential means and instruments. We have in actual use a mixed currency; the coin circulating under the authority of Congress, the paper under the authority of the States. But this paper, though it fills so great a portion of all the channels of circulation, is not of general and universal credit; it is made up of various local currencies, none of which has the same credit, or the same value, in all parts of the country; and therefore these local currencies answer but very loosely and imperfectly the purposes of general currency and of remittance. Now, is it to be contended that there is no remedy for this? Are we to agree, that the Constitution, with all its care, circumspection, and wisdom, has, nevertheless, left this great interest unprovided for? Is our commercial system so lame and impotent? Are our constitutional provisions and our political institutions so radically defective? I think not, Sir. They do not deserve this reproach; and I think it may now be easily shown, that, under all administrations, from General Washington's time down to the 3d of March last, the government has felt and acknowledged its obligation, in regard to the currency, to the full extent in which I have stated it, and has constantly endeavored to fulfil that obligation.

Is not this clear proof, that one object in establishing the bank, in the opinion of the Secretary, was the creation of a currency which should have general credit throughout the country, and, by means of such credit, should become a convenient and expeditious medium of exchange? Cur-

rency, Sir, currency and exchange, were then, beyond all doubt, important objects, in the opinion of the proposer of the measure, to be accomplished by the institution.

And now, Sir, let me ask, what was it that gave this success to the new institution? Its capital was small, and government had no participation in its direction; it was committed entirely to individual management and control.

Its notes, it is true, were made receivable in payments to government; that was one advantage. It had a solid capital, and its paper was at all times convertible into gold and silver, at the will and pleasure of the holder; that was another and a most important ground of its prosperity. But, Sir, there was something more than all this. There was something which touched men's sentiments, as well as their understandings. There was a cause which carried the credit of the new-born bank, as on the wings of the wind, to every quarter and every extremity of the country. There was a charm, which created trust, and faith, and reliance, not only in the great marts of commerce, but in every corner into which money, in any form, could penetrate. That cause was its nationality of character. It had the broad seal of the Union to its charter. It was the institution of the nation, established by that new government which the people already loved; and it was known to be designed to revive and foster that commerce which had so long been prostrate and lifeless.

The history of the late Bank of the United States manifests, as clearly as that of the first, that the government, in creating it, was acting, avowedly, in execution of its duty in regard to the currency. Fiscal aid, except so far as the furnishing of a currency was concerned, was hardly thought of. Its bills were made receivable for revenue, indeed; but that provision, as far as it went, was obviously a provision for currency. Currency for the revenue, however, was not the leading object. The leading object was currency for the country.

I maintain, Sir, that the people of this country are entitled, at the hand of this government, to a sound, safe, and uniform currency. If they agree with me, they will themselves say so. They will say, "It is our right; we have enjoyed it forty years; it is practicable, it is necessary to

our prosperity, it is the duty of government to furnish it; we ought to have it, we can have it, and we will have it."

The language of the administration, on the other hand, is. "Good masters, you are mistaken. You have no such right. You are entitled to no such thing from us. The Constitution has been misunderstood. We have suddenly found out its true meaning. A new light has flashed upon us. It is no business of ours to furnish a national currency. You cannot have it, and you will not get it."

Be it remembered, Sir, that my proposition simply is, that it is a part of the power and duty of Congress to maintain a general currency, suitable to the state of things existing among us, for the use of commerce and the people. Now, Sir, what says Mr. Madison? I read from his message of December, 1816.

"Upon this general view of the subject, it is obvious that there is only wanting to the fiscal prosperity of the government the restoration of a uniform medium of exchange. The resources and the faith of the nation, displayed in the system which Congress has established, insure respect and confidence both at home and abroad. The local accumulations of the revenue have already enabled the treasury to meet the public engagements in the local currency of most of the States; and it is expected that the same cause will produce the same effect throughout the Union. But, for the interests of the community at large, as well as for the purposes of the treasury, it is essential that the nation should possess a currency of equal value, credit, and use, wherever it may circulate. The Constitution has intrusted Congress, exclusively, with the power of creating and regulating a currency of that description; and the measures which were taken during the last session, in execution of the power, give every promise of success. The Bank of the United States has been organized under auspices the most favorable, and cannot fail to be an important auxiliary to those measures."

Mr. President, this power over the currency for which I am contending is in the Constitution; the authority of Con-

gress over commerce would be radically deficient without it; the power has been admitted, acknowledged, and exercised. To deny that this power is in the Constitution, is to rewrite the Constitution, to reconstruct it, to take it away, and give us a substitute. To deny that the power has been acknowledged, and exercised, is to contradict history, and to reverse facts.

REPLY TO MR. CALHOUN.

Speech delivered in the Senate of the United States, on the 22d of March, 1838, in Answer to Mr. Calhoun.

MR. PRESIDENT, — I came rather late to the Senate this morning, and, happening to meet a friend on the Avenue, I was admonished to hasten my steps, as "the war was to be carried into Africa," and I was expected to be annihilated. I lost no time in following the advice, Sir, since it would be awkward for one to be annihilated without knowing any thing about it.

Well, Sir, the war has been carried into Africa. The honorable member has made an expedition into regions as remote from the subject of this debate as the orb of Jupiter from that of our earth. He has spoken of the tariff, of slavery, and of the late war. Of all this I do not complain. On the contrary, if it be his pleasure to allude to all or any of these topics, for any purpose whatever, I am ready at all times to hear him.

Sir, this carrying the war into Africa, which has become so common a phrase among us, is, indeed, imitating a great example; but it is an example which is not always followed with success. In the first place, every man, though he be a man of talent and genius, is not a Scipio; and in the next place, as I recollect this part of Roman and Carthaginian history, — the gentleman may be more accurate, but as I recollect it, — when Scipio resolved upon carrying the war into Africa, Hannibal was not at home. Now, Sir, I am very little like Hannibal, but I am at home; and when Scipio Africanus South-Caroliniensis brings the war into my territories, I shall not leave their defence to Asdrubal, nor Syphax,

nor any body else. I meet him on the shore, at his landing, and propose but one contest.

"Concurritur; horæ
Momento cita mors venit, aut victoria læta."

Mr. President, I had made up my mind that, if the honorable gentleman should confine himself to a reply in the ordinary way, I would not say another syllable. But he has not done so. He has gone off into topics quite remote from all connection with revenue, commerce, finance, or sub-treasuries, and invites to a discussion which, however uninteresting to the public at the present moment, is too personal to be declined by me.

He says, Sir, that I undertook to compare my political character and conduct with his. Far from it. I attempted no such thing. I compared the gentleman's political opinions at different times with one another, and expressed decided opposition to those which he now holds. And I did, certainly, advert to the general tone and drift of the gentleman's sentiments and expressions for some years past, in their bearing on the Union, with such remarks as I thought they deserved; but I instituted no comparison between him and myself. He may institute one if he pleases, and when he pleases. Seeking nothing of this kind, I avoid nothing. Let it be remembered, that the gentleman began the debate, by attempting to exhibit a contrast between the present opinions and conduct of my friends and myself, and our recent opinions and conduct. Here is the first charge of inconsistency; let the public judge whether he has made it good. He says, Sir, that on several questions I have taken different sides, at different times; let him show it. If he shows any change of opinion, I shall be called on to give a reason, and to account for it. I leave it to the country to say whether, as yet, he has shown any such thing.

But, Sir, before attempting that, he has something else to say. He had prepared, it seems, to draw comparisons himself. He had intended to say something, if time had allowed, upon our respective opinions and conduct in regard to the war. If time had allowed! Sir, time does allow,

time must allow. A general remark of that kind ought not to be, cannot be, left to produce its effect, when that effect is obviously intended to be unfavorable. Why did the gentleman allude to my votes or my opinions respecting the war at all, unless he had something to say? Does he wish to leave an undefined impression that something was done, or something said, by me, not now capable of defence or justification? something not reconcilable with true patriotism? He means that, or nothing. And now, Sir, let him bring the matter forth; let him take the responsibility of the accusation; let him state his facts. I am here to answer; I am here, this day, to answer. Now is the time, and now the hour. I think we read, Sir, that one of the good spirits would not bring against the Arch-enemy of mankind a railing accusation; and what is railing but general reproach, an imputation without fact, time, or circumstance? Sir, I call for particulars. The gentleman knows my whole conduct well; indeed, the journals show it all, from the moment I came into Congress till the peace. If I have done, then, Sir, any thing unpatriotic, any thing which, as far as love to country goes, will not bear comparison with his or any man's conduct, let it now be stated. Give me the fact, the time, the manner. He speaks of the war; that which we call the late war, though it is now twenty-five years since it terminated. He would leave an impression that I opposed it. How? I was not in Congress when war was declared, nor in public life any where. I was pursuing my profession, keeping company with judges and jurors, and plaintiffs and defendants. If I had been in Congress, and had enjoyed the benefit of hearing the honorable gentleman's speeches, for aught I can say, I might have concurred with him. But I was not in public life. I never had been, for a single hour; and was in no situation, therefore, to oppose or to support the declaration of war. I am speaking to the fact, Sir; and if the gentleman has any fact, let us know it.

Well, Sir, I came into Congress during the war. I found it waged, and raging. And what did I do here to oppose it? Look to the journals. Let the honorable gentleman tax his memory. Bring up any thing, if there be any thing to bring

up, not showing error of opinion, but showing want of loyalty or fidelity to the country. I did not agree to all that was proposed, nor did the honorable member. I did not approve of every measure, nor did he. The war had been preceded by the restrictive system and the embargo. As a private individual, I certainly did not think well of these measures. It appeared to me that the embargo annoyed ourselves as much as our enemies, while it destroyed the business, and cramped the spirits, of the people. In this opinion I may have been right or wrong, but the gentleman was himself of the same opinion. He told us the other day, as a proof of his independence of party on great questions, that he differed with his friends on the subject of the embargo. He was decidedly and unalterably opposed to it. It furnishes in his judgment, therefore, no imputation either on my patriotism, or on the soundness of my political opinions, that I was opposed to it also. I mean opposed in opinion; for I was not in Congress, and had nothing to do with the act creating the embargo. And as to opposition to measures for carrying on the war, after I came into Congress, I again say, let the gentleman specify; let him lay his finger on any thing calling for an answer, and he shall have an answer.

Mr. President, you were yourself in the House during a considerable part of this time. The honorable gentleman may make a witness of you. He may make a witness of any body else. He may be his own witness. Give us but some fact, some charge, something capable in itself either of being proved or disproved. Prove any thing, state any thing, not consistent with honorable and patriotic conduct, and I am ready to answer it. Sir, I am glad this subject has been alluded to in a manner which justifies me in taking public notice of it; because I am well aware that, for ten years past, infinite pains has been taken to find something, in the range of these topics, which might create prejudice against me in the country. The journals have all been pored over, and the reports ransacked, and scraps of paragraphs and half sentences have been collected, fraudulently put together, and then made to flare out as if there had been some discovery. But all this failed. The

next resort was to supposed correspondence. My letters were sought for, to learn if, in the confidence of private friendship, I had ever said any thing which an enemy could make use of. With this view, the vicinity of my former residence has been searched, as with a lighted candle. New Hampshire has been explored, from the mouth of the Merrimack to the White Hills. In one instance a gentleman had left the State, gone five hundred miles off, and died. His papers were examined; a letter was found, and I have understood it was brought to Washington; a conclave was held to consider it, and the result was, that, If there was nothing else against Mr. Webster, the matter had better be let alone. Sir, I hope to make every body of that opinion who brings against me a charge of want of patriotism. Errors of opinion can be found, doubtless, on many subjects; but as conduct flows from the feelings which animate the heart, I know that no act of my life has had its origin in the want of ardent love of country.

Sir, when I came to Congress, I found the honorable gentleman a leading member of the House of Representatives. Well, Sir, in what did we differ? One of the first measures of magnitude, after I came here, was Mr. Dallas's* proposition for a bank. It was a war measure. It was urged as being absolutely necessary to enable government to carry on the war. Government wanted revenue; such a bank, it was hoped, would furnish it; and on that account it was most warmly pressed and urged on Congress. You remember all this, Mr. President. You remember how much some persons supposed the success of the war and the salvation of the country depended on carrying that measure. Yet the honorable member from South Carolina opposed this bill. He now takes to himself a good deal of merit, none too much, but still a good deal of merit, for having defeated it. Well, Sir, I agreed with him. It was a mere paper bank; a machine for fabricating irredeemable paper. It was a new form for paper money; and instead of benefiting the country, I thought it would plunge it deeper and

* The Secretary of the Treasury.

deeper in difficulty. I made a speech on the subject; it has often been quoted. There it is; let whoever pleases read and examine it. I am not proud of it for any ability it exhibits; on the other hand, I am not ashamed of it for the spirit which it manifests. But, Sir, I say again that the gentleman himself took the lead against this measure, this darling measure of the administration. I followed him; if I was seduced into error, or into unjustifiable opposition, there sits my seducer.

What, Sir, were other leading sentiments or leading measures of that day? On what other subjects did men differ? The gentleman has adverted to one, and that a most important one; I mean the navy. He says, and says truly, that at the commencement of the war the navy was unpopular. It was unpopular with his friends, who then controlled the politics of the country. But he says he differed with his friends; in this respect he resisted party influence and party connection, and was the friend and advocate of the navy. Sir, I commend him for it. He showed his wisdom. That gallant little navy soon fought itself into favor, and showed that no man who had placed reliance on it had been disappointed.

Well, Sir, in all this I was exactly of the opinion of the honorable gentleman.

Sir, I do not know when my opinion of the importance of a naval force to the United States had its origin. I can give no date to my present sentiments on this subject, because I never entertained different sentiments. I remember, Sir, that immediately after coming into my profession, at a period when the navy was most unpopular, when it was called by all sorts of hard names and designated by many coarse epithets, on one of those occasions on which young men address their neighbors, I ventured to put forth a boy's hand in defence of the navy. I insisted on its importance, its adaptation to our circumstances and to our national character, and its indispensable necessity, if we intended to maintain and extend our commerce. These opinions and sentiments I brought into Congress; and the first time in which I presumed to speak on the topics of the day, I

attempted to urge on the House a greater attention to the naval service. There were divers modes of prosecuting the war. On these modes, or on the degree of attention and expense which should be bestowed on each, different men held different opinions. I confess I looked with most hope to the results of naval warfare, and therefore I invoked government to invigorate and strengthen that arm of the national defence. I invoked it to seek its enemy upon the seas, to go where every auspicious indication pointed, and where the whole heart and soul of the country would go with it.

And now, Sir, in regard to the tariff. That is a long chapter, but I am quite ready to go over it with the honorable member.

He charges me with inconsistency. That may depend on deciding what inconsistency is, in respect to such subjects, and how it is to be proved. I will state the facts, for I have them in my mind somewhat more fully than the honorable member has himself presented them. Let us begin at the beginning. In 1816 I voted against the tariff law which then passed. In 1824 I again voted against the tariff law which was then proposed, and which passed. A majority of New England votes, in 1824, were against the tariff system. The bill received but one vote from Massachusetts; but it passed. The policy was established. New England acquiesced in it; conformed her business and pursuits to it; embarked her capital, and employed her labor, in manufactures; and I certainly admit that, from that time, I have felt bound to support interests thus called into being, and into importance, by the settled policy of the government. I have stated this often here, and often elsewhere. The ground is defensible, and I maintain it.

Well, Sir, and now what does the gentleman make out against me in relation to the tariff? What laurels does he gather in this part of Africa? I opposed the *policy* of the tariff, until it had become the settled and established policy of the country. I have never questioned the constitutional power of Congress to grant protection, except so far as the remark made in Faneuil Hall goes, which remark respects only the length to which protection might properly be car-

ried, so far as the power is derived from the authority to lay duties on imports. But the policy being established, and a great part of the country having placed vast interests at stake in it, I have not disturbed it; on the contrary, I have insisted that it ought not to be disturbed. If there be inconsistency in all this, the gentleman is at liberty to blazon it forth; let him see what he can make of it.

But, Sir, I have insisted that government is bound to protect and regulate the means of commerce, to see that there is a sound currency for the use of the people. The honorable gentleman asks, What then is the limit? Must Congress also furnish all means of commerce? Must it furnish weights and scales and steelyards? Most undoubtedly, Sir, it must regulate weights and measures, and it does so. But the answer to the general question is very obvious. Government must furnish all that which none but government can furnish. Government must do that for individuals which individuals cannot do for themselves. That is the very end of government. Why else have we a government? Can individuals make a currency? Can individuals regulate money? The distinction is as broad and plain as the Pennsylvania Avenue. No man can mistake it, or well blunder out of it. The gentleman asks if government must furnish for the people ships, and boats, and wagons. Certainly not. The gentleman here only recites the President's message of September. These things, and all such things, the people can furnish for themselves; but they cannot make a currency; they cannot, individually, decide what shall be the money of the country. That, every body knows, is one of the prerogatives, and one of the duties, of government; and a duty which I think we are most unwisely and improperly neglecting. We may as well leave the people to make war and to make peace, each man for himself, as to leave to individuals the regulation of commerce and currency.

Mr. President, there are other remarks of the gentleman of which I might take notice. But should I do so, I could only repeat what I have already said, either now or heretofore. I shall, therefore, not now allude to them. My principal purpose in what I have said has been to defend

myself; that was my first object; and next, as the honorable member has attempted to take to himself the character of a strict constructionist, and a State-rights man, and on that basis to show a difference, not favorable to me, between his constitutional opinions and my own, heretofore, it has been my intention to show that the power to create a bank, the power to regulate the currency by other and direct means, the power to enact a protective tariff, and the power of internal improvement, in its broadest sense, are all powers which the honorable gentleman himself has supported, has acted on, and in the exercise of which, indeed, he has taken a distinguished lead in the counsels of Congress.

If this has been done, my purpose is answered. I do not wish to prolong the discussion, nor to spin it out into a colloquy. If the honorable member has any thing new to bring forward; if he has any charge to make, any proof, or any specification; if he has any thing to advance against my opinions or my conduct, my honor or patriotism, I am still at home. I am here. If not, then, so far as I am concerned, this discussion will here terminate.

THE COMPLETION OF THE BUNKER HILL MONUMENT.

Address delivered on Bunker Hill, on the 17th of June, 1843.

A DUTY has been performed. A work of gratitude and patriotism is completed. This structure, having its foundations in soil which drank deep of early Revolutionary blood, has at length reached its destined height, and now lifts its summit to the skies.

We have assembled to celebrate the accomplishment of this undertaking, and to indulge afresh in the recollection of the great event which it is designed to commemorate. Eighteen years, more than half the ordinary duration of a generation of mankind, have elapsed since the corner stone of this monument was laid. The hopes of its projectors rested on voluntary contributions, private munificence, and the general favor of the public. These hopes have not been disappointed. Donations have been made by individuals, in

some cases of large amount, and smaller sums have been contributed by thousands. All who regard the object itself as important, and its accomplishment, therefore, as a good attained, will entertain sincere respect and gratitude for the unwearied efforts of the successive presidents, boards of directors, and committees of the Association which has had the general control of the work. The architect, equally entitled to our thanks and commendation, will find other reward, also, for his labor and skill, in the beauty and elegance of the obelisk itself, and the distinction which, as a work of art, it confers upon him.

The Bunker Hill Monument is finished. Here it stands. Fortunate in the high natural eminence on which it is placed, higher, infinitely higher in its objects and purpose, it rises over the land and over the sea; and, visible at their homes to three hundred thousand of the people of Massachusetts, it stands a memorial of the last, and a monitor to the present and to all succeeding generations. I have spoken of the loftiness of its purpose. If it had been without any other design than the creation of a work of art, the granite of which it is composed would have slept in its native bed. It has a purpose, and that purpose gives it its character. That purpose enrobes it with dignity and moral grandeur. That well-known purpose it is which causes us to look up to it with a feeling of awe. It is itself the orator of this occasion. It is not from my lips, it could not be from any human lips, that that strain of eloquence is this day to flow most competent to move and excite the vast multitudes around me. The powerful speaker stands motionless before us. It is a plain shaft. It bears no inscriptions, fronting to the rising sun, from which the future antiquary shall wipe the dust. Nor does the rising sun cause tones of music to issue from its summit. But at the rising of the sun, and at the setting of the sun; in the blaze of noonday, and beneath the milder effulgence of lunar light; it looks, it speaks, it acts, to the full comprehension of every American mind, and the awakening of glowing enthusiasm in every American heart. Its silent, but awful utterance; its deep pathos, as it brings to our contemplation the 17th

of June, 1775, and the consequences which have resulted to us, to our country, and to the world, from the events of that day, and which we know must continue to rain influence on the destinies of mankind to the end of time; the elevation with which it raises us high above the ordinary feelings of life, surpass all that the study of the closet, or even the inspiration of genius, can produce. To-day it speaks to us. Its future auditories will be the successive generations of men, as they rise up before it and gather around it. Its speech will be of patriotism and courage; of civil and religious liberty; of free government; of the moral improvement and elevation of mankind; and of the immortal memory of those who, with heroic devotion, have sacrificed their lives for their country.

In the older world, numerous fabrics still exist, reared by human hands, but whose object has been lost in the darkness of ages. They are now monuments of nothing but the labor and skill which constructed them.

The mighty pyramid itself, half buried in the sands of Africa, has nothing to bring down and report to us, but the power of kings and the servitude of the people. If it had any purpose beyond that of a mausoleum, such purpose has perished from history and from tradition. If asked for its moral object, its admonition, its sentiment, its instruction to mankind, or any high end in its erection, it is silent; silent as the millions which lie in the dust at its base, and in the catacombs which surround it. Without a just moral object, therefore, made known to man, though raised against the skies, it excites only conviction of power, mixed with strange wonder. But if the civilization of the present race of men, founded, as it is, in solid science, the true knowledge of nature, and vast discoveries in art, and which is elevated and purified by moral sentiment and by the truths of Christianity, be not destined to destruction before the final termination of human existence on earth, the object and purpose of this edifice will be known till that hour shall come. And even if civilization should be subverted, and the truths of the Christian religion obscured by a new deluge of barbarism, the memory of Bunker Hill and the American Revolution

will still be elements and parts of the knowledge which shall be possessed by the last man to whom the light of civilization and Christianity shall be extended.

This celebration is honored by the presence of the chief executive magistrate of the Union. An occasion so national in its object and character, and so much connected with that Revolution from which the government sprang at the head of which he is placed, may well receive from him this mark of attention and respect. Well acquainted with Yorktown, the scene of the last great military struggle of the Revolution, his eye now surveys the field of Bunker Hill, the theatre of the first of those important conflicts. He sees where Warren fell, where Putnam, and Prescott, and Stark, and Knowlton, and Brooks fought. He beholds the spot where a thousand trained soldiers of England were smitten to the earth, in the first effort of revolutionary war, by the arm of a bold and determined yeomanry, contending for liberty and their country. And while all assembled here entertain towards him sincere personal good wishes and the high respect due to his elevated office and station, it is not to be doubted that he enters, with true American feeling, into the patriotic enthusiasm kindled by the occasion which animates the multitudes that surround him.

His Excellency, the Governor of the Commonwealth, the Governor of Rhode Island, and the other distinguished public men whom we have the honor to receive as visitors and guests to-day, will cordially unite in a celebration connected with the great event of the Revolutionary war.

No name in the history of 1775 and 1776 is more distinguished than that borne by an ex-president of the United States, whom we expected to see here, but whose ill health prevents his attendance. Whenever popular rights were to be asserted, an Adams was present; and when the time came for the formal Declaration of Independence, it was the voice of an Adams that shook the halls of Congress. We wish we could have welcomed to us this day the inheritor of Revolutionary blood, and the just and worthy representative of high Revolutionary names, merit, and services.

Banners and badges, processions and flags, announce to us, that amidst this uncounted throng are thousands of natives of New England now residents in other States. Welcome, ye kindred names with kindred blood! From the broad savannas of the South, from the newer regions of the West, from amidst the hundreds of thousands of men of Eastern origin who cultivate the rich valley of the Genesee or live along the chain of the Lakes, from the mountains of Pennsylvania, and from the thronged cities of the coast, welcome, welcome! Wherever else you may be strangers, here you are all at home. You assemble at this shrine of liberty, near the family altars at which your earliest devotions were paid to Heaven; near to the temples of worship first entered by you, and near to the schools and colleges in which your education was received. You come hither with a glorious ancestry of liberty. You bring names which are on the rolls of Lexington, Concord, and Bunker Hill. You come, some of you, once more to be embraced by an aged Revolutionary father, or to receive another, perhaps a last, blessing, bestowed in love and tears, by a mother, yet surviving to witness and to enjoy your prosperity and happiness.

But if family associations and the recollections of the past bring you hither with greater alacrity, and mingle with your greeting much of local attachment and private affection, greeting also be given, free and hearty greeting, to every American citizen who treads this sacred soil with patriotic feeling, and respires with pleasure in an atmosphere perfumed with the recollections of 1775! This occasion is respectable, nay, it is grand, it is sublime, by the nationality of its sentiment. Among the seventeen millions of happy people who form the American community, there is not one who has not an interest in this monument, as there is not one that has not a deep and abiding interest in that which it commemorates.

Woe betide the man who brings to this day's worship feeling less than wholly American! Woe betide the man who can stand here with the fires of local resentments burning, or the purpose of fomenting local jealousies and the strifes of local interests festering and rankling in his heart.

Union, established in justice, in patriotism, and the most plain and obvious common interest, — union, founded on the same love of liberty, cemented by blood shed in the same common cause, — union has been the source of all our glory and greatness thus far, and is the ground of all our highest hopes. This column stands on Union. I know not that it might not keep its position if the American Union, in the mad conflict of human passions, and in the strife of parties and factions, should be broken up and destroyed. I know not that it would totter and fall to the earth, and mingle its fragments with the fragments of Liberty and the Constitution, when State should be separated from State, and faction and dismemberment obliterate for ever all the hopes of the founders of our republic, and the great inheritance of their children. It might stand. But who, from beneath the weight of mortification and shame that would oppress him, could look up to behold it? Whose eyeballs would not be seared by such a spectacle? For my part, should I live to such a time, I shall avert my eyes from it for ever.

It is not as a mere military encounter of hostile armies, that the battle of Bunker Hill presents its principal claim to attention. Yet, even as a mere battle, there were circumstances attending it extraordinary in character, and entitling it to peculiar distinction. It was fought on this eminence; in the neighborhood of yonder city; in the presence of many more spectators than there were combatants in the conflict. Men, women, and children, from every commanding position, were gazing at the battle, and looking for its results with all the eagerness natural to those who knew that the issue was fraught with the deepest consequences to themselves, personally, as well as to their country. Yet, on the 16th of June, 1775, there was nothing around this hill but verdure and culture. There was, indeed, the note of awful preparation in Boston. There was the Provincial army at Cambridge, with its right flank resting on Dorchester, and its left on Chelsea. But here all was peace. Tranquillity reigned around. On the 17th every thing was changed. On this eminence had arisen, in the night, a redoubt, built by Prescott, and in which he held command. Perceived

by the enemy at dawn, it was immediately cannonaded from the floating batteries in the river, and from the opposite shore. And then ensued the hurried movement in Boston, and soon the troops of Britain embarked in the attempt to dislodge the Colonists. In an hour every thing indicated an immediate and bloody conflict. Love of liberty on one side, proud defiance of rebellion on the other; hopes and fears, and courage and daring, on both sides, animated the hearts of the combatants as they hung on the edge of battle.

I suppose it would be difficult, in a military point of view, to ascribe to the leaders on either side any just motive for the engagement which followed. On the one hand, it could not have been very important to the Americans to attempt to hem the British within the town, by advancing one single post a quarter of a mile; while, on the other hand, if the British found it essential to dislodge the American troops, they had it in their power at no expense of life. By moving up their ships and batteries, they could have completely cut off all communication with the main land over the Neck, and the forces in the redoubt would have been reduced to a state of famine in forty-eight hours.

But that was not the day for any such consideration on either side! Both parties were anxious to try the strength of their arms. The pride of England would not permit the rebels, as she termed them, to defy her to the teeth; and, without for a moment calculating the cost, the British general determined to destroy the fort immediately. On the other side, Prescott and his gallant followers longed and thirsted for a decisive trial of strength and of courage. They wished a battle, and wished it at once. And this is the true secret of the movements on this hill.

I will not attempt to describe that battle. The cannonading; the landing of the British; their advance; the coolness with which the charge was met; the repulse; the second attack; the second repulse; the burning of Charlestown; and, finally, the closing assault, and the slow retreat of the Americans, — the history of all these is familiar.

But the consequences of the battle of Bunker Hill were greater than those of any ordinary conflict, although between

armies of far greater force, and terminating with more immediate advantage on the one side or the other. It was the first great battle of the Revolution; and not only the first blow, but the blow which determined the contest. It did not, indeed, put an end to the war, but in the then existing hostile state of feeling, the difficulties could only be referred to the arbitration of the sword. And one thing is certain; that after the New England troops had shown themselves able to face and repulse the regulars, it was decided that peace never could be established but upon the basis of the independence of the Colonies. When the sun of that day went down, the event of Independence was no longer doubtful. In a few days Washington heard of the battle, and he inquired if the militia had stood the fire of the regulars. When told that they had not only stood that fire, but reserved their own till the enemy was within eight rods, and then poured it in with tremendous effect, "Then," exclaimed he, "the liberties of the country are safe!"

The consequences of this battle were just of the same importance as the Revolution itself.

If there was nothing of value in the principles of the American Revolution, then there is nothing valuable in the battle of Bunker Hill and its consequences. But if the Revolution was an era in the history of man favorable to human happiness, if it was an event which marked the progress of man all over the world from despotism to liberty, then this monument is not raised without cause. Then the battle of Bunker Hill is not an event undeserving celebrations, commemorations, and rejoicings, now and in all coming times.

What, then, is the true and peculiar principle of the American Revolution, and of the systems of government which it has confirmed and established? The truth is, that the American Revolution was not caused by the instantaneous discovery of principles of government before unheard of, or the practical adoption of political ideas such as had never before entered into the minds of men. It was but the full development of principles of government, forms of society, and political sentiments, the origin of all which lay back two centuries in English and American history.

The spirit of commercial and foreign adventure, therefore, on the one hand, which had gained so much strength and influence since the time of the discovery of America, and, on the other, the assertion and maintenance of religious liberty, having their source indeed in the Reformation, but continued, diversified, and constantly strengthened by the subsequent divisions of sentiment and opinion among the Reformers themselves, and this love of religious liberty drawing after it or bringing along with it, as it always does, an ardent devotion to the principle of civil liberty also, were the powerful influences under which character was formed and men trained, for the great work of introducing English civilization, English law, and what is more than all, Anglo-Saxon blood, into the wilderness of North America. Raleigh and his companions may be considered as the creatures, principally, of the first of these causes. High-spirited, full of the love of personal adventure, excited, too, in some degree, by the hopes of sudden riches from the discovery of mines of the precious metals, and not unwilling to diversify the labors of settling a colony with occasional cruising against the Spaniards in the West Indian seas, they crossed and recrossed the ocean, with a frequency which surprises us, when we consider the state of navigation, and which evinces a most daring spirit.

The other cause peopled New England. The Mayflower sought our shores under no high-wrought spirit of commercial adventure, no love of gold, no mixture of purpose warlike or hostile to any human being. Like the dove from the ark, she had put forth only to find rest. Solemn supplications on the shore of the sea, in Holland, had invoked for her, at her departure, the blessings of Providence. The stars which guided her were the unobscured constellations of civil and religious liberty. Her deck was the altar of the living God. Fervent prayers on bended knees, mingled, morning and evening, with the voices of ocean, and the sighing of the wind in her shrouds. Every prosperous breeze, which, gently swelling her sails, helped the Pilgrims onward in their course, awoke new anthems of praise; and when the elements were wrought into fury, neither the

tempest, tossing their fragile bark like a feather, nor the darkness and howling of the midnight storm, ever disturbed, in man or woman, the firm and settled purpose of their souls, to undergo all, and to do all, that the meekest patience, the boldest resolution, and the highest trust in God could enable human beings to suffer or to perform.

Some differences may, doubtless, be traced at this day between the descendants of the early colonists of Virginia and those of New England, owing to the different influences and different circumstances under which the respective settlements were made; but only enough to create a pleasing variety in the midst of a general family resemblance. But the habits, sentiments, and objects of both soon became modified by local causes, growing out of their condition in the New World; and as this condition was essentially alike in both, and as both at once adopted the same general rules and principles of English jurisprudence, and became accustomed to the authority of representative bodies, these differences gradually diminished. They disappeared by the progress of time, and the influence of intercourse. The necessity of some degree of union and coöperation to defend themselves against the savage tribes, tended to excite in them mutual respect and regard. They fought together in the wars against France. The great and common cause of the Revolution bound them to one another by new links of brotherhood; and at length the present constitution of government united them happily and gloriously, to form the great republic of the world, and bound up their interests and fortunes, till the whole earth sees that there is now for them, in present possession as well as in future hope, but "One Country, One Constitution, and One Destiny."

Look round upon these fields; they are verdant and beautiful, well cultivated, and at this moment loaded with the riches of the early harvest. The hands which till them are those of the free owners of the soil, enjoying equal rights, and protected by law from oppression and tyranny. Look to the thousand vessels in our sight, filling the harbor, or covering the neighboring sea. They are the vehicles of a profitable commerce, carried on by men who know that

the profits of their hardy enterprise, when they make them, are their own; and this commerce is encouraged and regulated by wise laws, and defended, when need be, by the valor and patriotism of the country. Look to that fair city, the abode of so much diffused wealth, so much general happiness and comfort, so much personal independence, and so much general knowledge, and not undistinguished, I may be permitted to add, for hospitality and social refinement. She fears no forced contributions, no siege or sacking from military leaders of rival factions. The hundred temples in which her citizens worship God are in no danger of sacrilege. The regular administration of the laws encounters no obstacle. The long processions of children and youth, which you see this day, issuing by thousands from her free schools, prove the care and anxiety with which a popular government provides for the education and morals of the people. Every where there is order; every where there is security. Every where the law reaches to the highest and reaches to the lowest, to protect all in their rights, and to restrain all from wrong; and over all hovers liberty; that liberty for which our fathers fought and fell on this very spot, with her eye ever watchful, and her eagle wing ever wide outspread.

The English colonists in America, generally speaking, were men who were seeking new homes in a new world. They brought with them their families and all that was most dear to them. This was especially the case with the colonists of Plymouth and Massachusetts. Many of them were educated men, and all possessed their full share, according to their social condition, of the knowledge and attainments of that age. The distinctive characteristic of their settlement is the introduction of the civilization of Europe into a wilderness, without bringing with it the political institutions of Europe. The arts, sciences, and literature of England came over with the settlers. That great portion of the common law which regulates the social and personal relations and conduct of men, came also. The jury came; the *habeas corpus* came; the testamentary power came; and the law of inheritance and descent came also, except that

part of it which recognizes the rights of primogeniture, which either did not come at all, or soon gave way to the rule of equal partition of estates among children. But the monarchy did not come, nor the aristocracy, nor the church, as an estate of the realm. Political institutions were to be framed anew, such as should be adapted to the state of things. But it could not be doubtful what should be the nature and character of these institutions. A general social equality prevailed among the settlers, and an equality of political rights seemed the natural, if not the necessary consequence. It has been said, with much vivacity, that the felicity of the American colonists consisted in their escape from the past. This is true so far as respects political establishments, but no further. They brought with them a full portion of all the riches of the past, in science, in art, in morals, religion, and literature. The Bible came with them. And it is not to be doubted, that to the free and universal reading of the Bible, in that age, men were much indebted for right views of civil liberty. The Bible is a book of faith, and a book of doctrine, and a book of morals, and a book of religion, of especial revelation from God; but it is also a book which teaches man his own individual responsibility, his own dignity, and his equality with his fellow-man.

Bacon and Locke, and Shakspeare and Milton, also came with the colonists. It was the object of the first settlers to form new political systems, but all that belonged to cultivated man, to family, to neighborhood, to social relations, accompanied them. In the Doric phrase of one of our own historians, "they came to settle on bare creation;" but their settlement in the wilderness, nevertheless, was not a lodgment of nomadic tribes, a mere resting-place of roaming savages. It was the beginning of a permanent community, the fixed residence of cultivated men. Not only was English literature read, but English, good English, was spoken and written, before the axe had made way to let in the sun upon the habitations and fields of Plymouth and Massachusetts. And whatever may be said to the contrary, a correct use of the English language is, at this day, more general throughout the United States, than it is throughout England herself.

The great elements, then, of the American system of government, originally introduced by the colonists, and which were early in operation, and ready to be developed, more and more, as the progress of events should justify or demand, were, —

Escape from the existing political systems of Europe, including its religious hierarchies, but the continued possession and enjoyment of its science and arts, its literature, and its manners;

Home government, or the power of making in the colony the municipal laws which were to govern it;

Equality of rights;

Representative assemblies, or forms of government founded on popular elections.

Few topics are more inviting, or more fit for philosophical discussion, than the effect on the happiness of mankind of institutions founded upon these principles; or, in other words, the influence of the New World upon the Old.

Her obligations to Europe for science and art, laws, literature, and manners, America acknowledges as she ought, with respect and gratitude. The people of the United States, descendants of the English stock, grateful for the treasures of knowledge derived from their English ancestors, admit also, with thanks and filial regard, that among those ancestors, under the culture of Hampden and Sydney and other assiduous friends, that seed of popular liberty first germinated, which on our soil has shot up to its full height, until its branches overshadow all the land.

But America has not failed to make returns. If she has not wholly cancelled the obligation, or equalled it by others of like weight, she has, at least, made respectable advances towards repaying the debt. And she admits, that, standing in the midst of civilized nations, and in a civilized age, a nation among nations, there is a high part which she is expected to act, for the general advancement of human interests and human welfare.

American mines have filled the mints of Europe with the precious metals. The productions of the American soil and climate have poured out their abundance of luxuries for the tables of the rich, and of necessaries for the sustenance of

the poor. Birds and animals of beauty and value have been added to the European stocks; and transplantations from the unequalled riches of our forests have mingled themselves profusely with the elms, and ashes, and Druidical oaks of England.

America has made contributions to Europe far more important. Who can estimate the amount, or the value, of the augmentation of the commerce of the world that has resulted from America? Who can imagine to himself what would now be the shock to the Eastern Continent, if the Atlantic were no longer traversable, or if there were no longer American productions, or American markets?

But America exercises influences, or holds out examples, for the consideration of the Old World, of a much higher, because they are of a moral and political character.

America has furnished to Europe proof of the fact, that popular institutions, founded on equality and the principle of representation, are capable of maintaining governments, able to secure the rights of person, property, and reputation.

America has proved that it is practicable to elevate the mass of mankind, — that portion which in Europe is called the laboring, or lower class, — to raise them to self-respect, to make them competent to act a part in the great right and great duty of self-government; and she has proved that this may be done by education and the diffusion of knowledge. She holds out an example, a thousand times more encouraging than ever was presented before, to those nine tenths of the human race who are born without hereditary fortune or hereditary rank.

America has furnished to the world the character of Washington! And if our American institutions had done nothing else, that alone would have entitled them to the respect of mankind.

Washington! "First in war, first in peace, and first in the hearts of his countrymen!" Washington is all our own! The enthusiastic veneration and regard in which the people of the United States hold him prove them to be worthy of such a countryman; while his reputation abroad reflects the highest honor on his country. I would cheer-

fully put the question to-day to the intelligence of Europe and the world, what character of the century, upon the whole, stands out in the relief of history, most pure, most respectable, most sublime; and I doubt not, that, by a suffrage approaching to unanimity, the answer would be Washington!

The structure now standing before us, by its uprightness, its solidity, its durability, is no unfit emblem of his character. His public virtues and public principles were as firm as the earth on which it stands; his personal motives, as pure as the serene heaven in which its summit is lost. But, indeed, though a fit, it is an inadequate emblem. Towering high above the column which our hands have builded, beheld, not by the inhabitants of a single city or a single State, but by all the families of man, ascends the colossal grandeur of the character and life of Washington. In all the constituents of the one, in all the acts of the other, in all its titles to immortal love, admiration, and renown, it is an American production. It is the embodiment and vindication of our Transatlantic liberty. Born upon our soil, of parents also born upon it; never for a moment having had sight of the Old World; instructed, according to the modes of his time, only in the spare, plain, but wholesome elementary knowledge which our institutions provide for the children of the people; growing up beneath and penetrated by the genuine influences of American society; living from infancy to manhood and age amidst our expanding, but not luxurious civilization; partaking in our great destiny of labor, our long contest with unreclaimed nature and uncivilized man, our agony of glory, the war of Independence, our great victory of peace, the formation of the Union, and the establishment of the Constitution; he is all, all our own! Washington is ours. That crowded and glorious life, —

> "Where multitudes of virtues passed along,
> Each pressing foremost, in the mighty throng
> Ambitious to be seen, then making room
> For greater multitudes that were to come," —

that life was the life of an American citizen.

I claim him for America. In all the perils, in every darkened moment of the state, in the midst of the reproaches of enemies and the misgiving of friends, I turn to that transcendent name for courage and for consolation. To him who denies or doubts whether our fervid liberty can be combined with law, with order, with the security of property, with the pursuits and advancement of happiness; to him who denies that our forms of government are capable of producing exaltation of soul, and the passion of true glory; to him who denies that we have contributed any thing to the stock of great lessons and great examples; — to all these I reply by pointing to Washington!

And now, friends and fellow-citizens, it is time to bring this discourse to a close.

We have indulged in gratifying recollections of the past, in the prosperity and pleasures of the present, and in high hopes for the future. But let us remember that we have duties and obligations to perform, corresponding to the blessings which we enjoy. Let us remember the trust, the sacred trust, attaching to the rich inheritance which we have received from our fathers. Let us feel our personal responsibility, to the full extent of our power and influence, for the preservation of the principles of civil and religious liberty. And let us remember that it is only religion, and morals, and knowledge, that can make men respectable and happy, under any form of government. Let us hold fast the great truth, that communities are responsible, as well as individuals; that no government is respectable, which is not just; that without unspotted purity of public faith, without sacred public principle, fidelity, and honor, no mere forms of government, no machinery of laws, can give dignity to political society. In our day and generation let us seek to raise and improve the moral sentiment, so that we may look, not for a degraded, but for an elevated and improved future. And when both we and our children shall have been consigned to the house appointed for all living, may love of country and pride of country glow with equal fervor among those to whom our names and our blood shall have descended! And then, when honored and decrepit age shall

lean against the base of this monument, and troops of ingenuous youth shall be gathered round it, and when the one shall speak to the other of its objects, the purposes of its construction, and the great and glorious events with which it is connected, there shall rise from every youthful breast the ejaculation, "Thank God, I — I also — AM AN AMERICAN!"

THE CHRISTIAN MINISTRY AND THE RELIGIOUS INSTRUCTION OF THE YOUNG.

Speech delivered in the Supreme Court at Washington, on the 20th of February, 1844, in the Case of the Heirs at Law of the late Stephen Girard, against the Mayor, Aldermen, and Citizens of Philadelphia, the Executors of Stephen Girard. The Case was decided in Favor of the Will.

MAY IT PLEASE YOUR HONORS: — It is not necessary for me to narrate, in detail, the numerous provisions of Mr. Girard's will. This has already been repeatedly done by other counsel, and I shall content myself with stating and considering those parts only which are immediately involved in the decision of this cause.

The testator proceeds to give his directions respecting the institution, laying down his plan and objects in several articles. The third article is in these words: —

"3. As many poor white male orphans, between the ages of six and ten years, as the said income shall be adequate to maintain, shall be introduced into the college as soon as possible; and from time to time, as there may be vacancies, or as increased ability from income may warrant, others shall be introduced."

The testator proceeds to say, that he necessarily leaves many details to the city government; and then adds, "There are, however, some restrictions which I consider it my duty to prescribe, and to be, amongst others, conditions on which my bequest for said college is made, and to be enjoyed."

The second of these restrictions is in the following words: —

"Secondly. I enjoin and require *that no ecclesiastic, missionary, or minister, of any sect whatever, shall ever hold or exercise any station or duty whatever in the said college; nor shall any such person ever be admitted for any*

purpose, or as a visitor, within the premises appropriated to the purposes of the said college."

This scheme of instruction begins by attempting to attach reproach and odium to the whole clergy of the country. It places a brand, a stigma, on every individual member of the profession, without an exception. No minister of the Gospel, of any denomination, is to be allowed to come within the grounds belonging to this school, on any occasion, or for any purpose whatever. They are all rigorously excluded, as if their mere presence might cause pestilence. We have heard it said that Mr. Girard, by this will, distributed his charity without distinction of sect or party. However that may be, Sir, he certainly has dealt out opprobrium to the whole profession of the clergy, without regard to sect or party.

By this will, no minister of the Gospel of any sect or denomination whatever can be authorized or allowed to hold any office within the college; and not only that, but no minister or clergyman of any sect can, for any purpose whatever, enter within the walls that are to surround this college. If a clergyman has a sick nephew, or a sick grandson, he cannot, upon any pretext, be allowed to visit him within the walls of the college. The provision of the will is express and decisive. Still less may a clergyman enter to offer consolation to the sick, or to unite in prayer with the dying.

Now, I will not arraign Mr. Girard or his motives for this. I will not inquire into Mr. Girard's opinions upon religion. But I feel bound to say, the occasion demands that I should say, that this is the most opprobrious, the most insulting and unmerited stigma, that ever was cast, or attempted to be cast, upon the preachers of Christianity, from north to south, from east to west, through the length and breadth of the land, in the history of the country. When have they deserved it? Where have they deserved it? How have they deserved it? They are not to be allowed even the ordinary rights of hospitality; not even to be permitted to put their foot over the threshold of this college!

Sir, I take it upon myself to say, that in no country in the world, upon either continent, can there be found a body of ministers of the Gospel who perform so much service to man, in such a full spirit of self-denial, under so little encouragement from government of any kind, and under circumstances almost always much straitened and often distressed, as the ministers of the Gospel in the United States, of all denominations. They form no part of any established order of religion; they constitute no hierarchy; they enjoy no peculiar privileges. In some of the States they are even shut out from all participation in the political rights and privileges enjoyed by their fellow-citizens. They enjoy no tithes, no public provision of any kind. Except here and there, in large cities, where a wealthy individual occasionally makes a donation for the support of public worship, what have they to depend upon? They have to depend entirely on the voluntary contributions of those who hear them.

And this body of clergymen has shown, to the honor of their own country and to the astonishment of the hierarchies of the Old World, that it is practicable in free governments to raise and sustain by voluntary contributions alone a body of clergymen, which, for devotedness to their sacred calling, for purity of life and character, for learning, intelligence, piety, and that wisdom which cometh from above, is inferior to none, and superior to most others.

I hope that our learned men have done something for the honor of our literature abroad. I hope that the courts of justice and members of the bar of this country have done something to elevate the character of the profession of the law. I hope that the discussions above (in Congress) have done something to meliorate the condition of the human race, to secure and extend the great charter of human rights, and to strengthen and advance the great principles of human liberty. But I contend that no literary efforts, no adjudications, no constitutional discussions, nothing that has been done or said in favor of the great interests of universal man, has done this country more credit, at home and abroad, than the establishment of our body of clergymen,

their support by voluntary contributions, and the general excellence of their character for piety and learning.

The great truth has thus been proclaimed and proved, a truth which I believe will in time to come shake all the hierarchies of Europe, that the voluntary support of such a ministry, under free institutions, is a practicable idea.

And yet every one of these, the Christian ministers of the United States, is by this devise denied the privileges which are at the same time open to the vilest of our race; every one is shut out from this, I had almost said, *sanctum*, but I will not profane that word by such a use of it.

The devise before us proposes to establish, as its main object, a school of learning, a college. There are provisions, of course, for lodging, clothing, and feeding the pupils, but all this is subsidiary. The great object is the instruction of the young; although it proposes to give the children better food and clothes and lodging, and proposes that the system of education shall be somewhat better than that which is usually provided for the poor and destitute in our public institutions generally.

The main object, then, is to establish a school of learning for children, beginning with them at a very tender age, and retaining them (namely, from six years to eighteen) till they are on the verge of manhood, when they will have expended more than one third part of the average duration of human life. For if the college takes them at six, and keeps them till they are eighteen, a period of twelve years will be passed within its walls; more than a third part of the average of human life. These children, then, are to be taken almost before they learn their alphabet, and be discharged about the time that men enter on the active business of life. At six, many do not know their alphabet. John Wesley did not know a letter till after he was six years old, and his mother then took him on her lap, and taught him his alphabet at a single lesson. There are many parents who think that any attempt to instil the rudiments of education into the mind of a child at an earlier age, is little better than labor thrown away.

The great object, then, which Mr. Girard seemed to have

in view, was to take these orphans at this very tender age, and to keep them within his walls until they were entering manhood. And this object I pray your honors steadily to bear in mind.

I never, in the whole course of my life, listened to any thing with more sincere delight, than to the remarks of my learned friend who opened this cause, on the nature and character of true charity. I agree with every word he said on that subject. I almost envy him his power of expressing so happily what his mind conceives so clearly and correctly. He is right when he speaks of it as an emanation from the Christian religion. He is right when he says that it has its origin in the word of God. He is right when he says that it was unknown throughout all the world till the first dawn of Christianity. He is right, preëminently right, in all this, as he was preëminently happy in his power of clothing his thoughts and feelings in appropriate forms of speech. And I maintain, that, in any institution for the instruction of youth, where the authority of God is disowned, and the duties of Christianity derided and despised, and its ministers shut out from all participation in its proceedings, there can no more be charity, true charity, found to exist, than evil can spring out of the Bible, error out of truth, or hatred and animosity come forth from the bosom of perfect love. No, Sir! No, Sir! If charity denies its birth and parentage, if it turns infidel to the great doctrines of the Christian religion, if it turns unbeliever, it is no longer charity! There is no longer charity, either in a Christian sense or in the sense of jurisprudence; for it separates itself from the fountain of its own creation.

Now, let us look at the condition and prospects of these tender children, who are to be submitted to this experiment of instruction without Christianity. In the first place, they are orphans, have no parents to guide or instruct them in the way in which they should go, no father, no religious mother, to lead them to the pure fount of Christianity; *they are orphans.* If they were only poor, there might be somebody bound by ties of human affection to look after their spiritual welfare; to see that they imbibed no erro-

neous opinions on the subject of religion; that they run into no excessive improprieties of belief as well as conduct. The child would have its father or mother to teach it to lisp the name of its Creator in prayer, or hymn His praise. But in this experimental school of instruction, if the orphans have any friends or connections able to look after their welfare, it shuts them out. It is made the duty of the governors of the institution, on taking the child, so to make out the indentures of apprenticeship as to keep him from any after interference in his welfare on the part of guardians or relatives; to keep them from withdrawing him from the school, or interfering with his instruction whilst he is in the school, in any manner whatever.

Now, I suppose there is nothing in the New Testament more clearly established by the Author of Christianity, than the appointment of a Christian ministry. The world was to be evangelized, was to be brought out of darkness into light, by the influences of the Christian religion, spread and propagated by the instrumentality of man. A Christian ministry was therefore appointed by the Author of the Christian religion himself, and it stands on the same authority as any other part of his religion. When the lost sheep of the house of Israel were to be brought to the knowledge of Christianity, the disciples were commanded to go forth into all the cities, and to preach "that the kingdom of heaven is at hand." It was added, that whosoever would not receive them, nor hear their words, it should be more tolerable for Sodom and Gomorrah than for them. And after his resurrection, in the appointment of the great mission to the whole human race, the Author of Christianity commanded his disciples that they should "go into all the world, and preach the Gospel to every creature." This was one of his last commands; and one of his last promises was the assurance, "Lo, I am with you alway, even to the end of the world!" I say, therefore, there is nothing set forth more authentically in the New Testament than the appointment of a Christian ministry; and he who does not believe this does not and cannot believe the rest.

It is true that Christian ministers, in this age of the world,

are selected in different ways and different modes by different sects and denominations. But there are, still, ministers of all sects and denominations. Why should we shut our eyes to the whole history of Christianity? Is it not the preaching of ministers of the Gospel that has evangelized the more civilized part of the world? Why do we at this day enjoy the lights and benefits of Christianity ourselves? Do we not owe it to the instrumentality of the Christian ministry? The ministers of Christianity, departing from Asia Minor, traversing Asia, Africa, and Europe, to Iceland, Greenland, and the poles of the earth, suffering all things, enduring all things, hoping all things, raising men every where from the ignorance of idol worship to the knowledge of the true God, and every where bringing life and immortality to light through the Gospel, have only been acting in obedience to the Divine instruction; they were commanded to go forth, and they have gone forth, and they still go forth. They have sought, and they still seek, to be able to preach the Gospel to every creature under the whole heaven.

In the next place, this scheme of education is derogatory to Christianity, because it proceeds upon the presumption that the Christian religion is not the only true foundation, or any necessary foundation, of morals. The ground taken is, that religion is not necessary to morality; that benevolence may be insured by habit, and that all the virtues may flourish, and be safely left to the chance of flourishing, without touching the waters of the living spring of religious responsibility. With him who thinks thus, what can be the value of the Christian revelation? So the Christian world has not thought; for by that Christian world, throughout its broadest extent, it has been, and is, held as a fundamental truth, that religion is the only solid basis of morals, and that moral instruction not resting on this basis is only a building upon sand. And at what age of the Christian era have those who professed to teach the Christian religion, or to believe in its authority and importance, not insisted on the absolute necessity of inculcating its principles and its precepts upon the minds of the young? In what age, by what sect, where, when, by whom, has religious truth been ex-

cluded from the education of youth? Nowhere; never. Every where, and at all times, it has been, and is, regarded as essential. It is of the essence, the vitality, of useful instruction. From all this Mr. Girard dissents. His plan denies the necessity and the propriety of religious instruction as a part of the education of youth. He dissents, not only from all the sentiments of Christian mankind, from all common conviction, and from the results of all experience, but he dissents also from still higher authority, the word of God itself. My learned friend has referred, with propriety, to one of the commands of the Decalogue; but there is another, a first commandment, and that is a precept of religion, and it is in subordination to this that the moral precepts of the Decalogue are proclaimed. This first great commandment teaches man that there is one, and only one, great First Cause, one, and only one, proper object of human worship. This is the great, the ever fresh, the overflowing fountain of all revealed truth. Without it human life is a desert, of no known termination on any side, but shut in on all sides by a dark and impenetrable horizon. Without the light of this truth, man knows nothing of his origin, and nothing of his end. And when the Decalogue was delivered to the Jews, with this great announcement and command at its head, what said the inspired lawgiver? that it should be kept from children? that it should be reserved as a communication fit only for mature age? Far, far otherwise. "And these words, which I command thee this day, shall be in thy heart. And thou shalt teach them diligently unto thy children, and shall talk of them when thou sittest in thy house, and when thou walkest by the way, when thou liest down, and when thou risest up."

There is an authority still more imposing and awful. When little children were brought into the presence of the Son of God, his disciples proposed to send them away; but he said, "Suffer little children to come unto me." Unto *me;* he did not send them first for lessons in morals to the schools of the Pharisees or to the unbelieving Sadducees, nor to read the precepts and lessons *phylacteried* on the gar-

ments of the Jewish priesthood; he said nothing of different creeds or clashing doctrines; but he opened at once to the youthful mind the everlasting fountain of living waters, the only source of eternal truths: "Suffer little children to come *unto me*." And that injunction is of perpetual obligation. It addresses itself to-day with the same earnestness and the same authority which attended its first utterance to the Christian world. It is of force every where, and at all times. It extends to the ends of the earth, it will reach to the end of time, always and every where sounding in the ears of men, with an emphasis which no repetition can weaken, and with an authority which nothing can supersede: "Suffer little children to come unto me."

And not only my heart, and my judgment, my belief, and my conscience, instruct me that this great precept should be obeyed, but the idea is so sacred, the solemn thoughts connected with it so crowd upon me, it is so utterly at variance with this system of philosophical *morality* which we have heard advocated, that I stand and speak here in fear of being influenced by my feelings to exceed the proper line of my professional duty. Go thy way at this time, is the language of philosophical morality, and I will send for thee at a more convenient season. This is the language of Mr. Girard in his will. In this there is neither religion nor reason.

The earliest and the most urgent intellectual want of human nature is the knowledge of its origin, its duty, and its destiny. "Whence am I, what am I, and what is before me?" This is the cry of the human soul, so soon as it raises its contemplation above visible, material things.

When an intellectual being finds himself on this earth, as soon as the faculties of reason operate, one of the first inquiries of his mind is, "Shall I be here always?" "Shall I live here for ever?" And reasoning from what he sees daily occurring to others, he learns to a certainty that his state of being must one day be changed. I do not mean to deny, that it may be true that he is created with this consciousness; but whether it be consciousness, or the result of his reasoning faculties, man soon learns that he must die. And of all sentient beings, he alone, so far as we can judge, attains to this

knowledge. His Maker has made him capable of learning this. Before he knows his origin and destiny, he knows that he is to die. Then comes that most urgent and solemn demand for light that ever proceeded, or can proceed, from the profound and anxious broodings of the human soul. It is stated, with wonderful force and beauty, in that incomparable composition, the book of Job: "For there is hope of a tree, if it be cut down, that it will sprout again, and that the tender branch thereof will not cease; that, through the scent of water, it will bud, and bring forth boughs like a plant. *But if a man die, shall he live again?*" And that question nothing but God, and the religion of God, can solve. Religion does solve it, and teaches every man that he is to live again, and that the duties of this life have reference to the life which is to come. And hence, since the introduction of Christianity, it has been the duty, as it has been the effort, of the great and the good, to sanctify human knowledge, to bring it to the fount, and to baptize learning into Christianity; to gather up all its productions, its earliest and its latest, its blossoms and its fruits, and lay them all upon the altar of religion and virtue.

Another important point involved in this question is, What becomes of the Christian Sabbath, in a school thus established? I do not mean to say that this stands exactly on the same authority as the Christian religion, but I mean to say that the observance of the Sabbath is a part of Christianity in all its forms. All Christians admit the observance of the Sabbath. All admit that there is a Lord's day, although there may be a difference in the belief as to which is the right day to be observed. Now, I say that in this institution, under Mr. Girard's scheme, the ordinary observance of the Sabbath could not take place, because the ordinary means of observing it are excluded.

I grant that the mind of youth should be kept pliant, and free from all undue and erroneous influences; that it should have as much play as is consistent with prudence; but put it where it can obtain the elementary principles of religious truth; at any rate, those broad and general precepts and principles which are admitted by all Christians. But

here, in this scheme of Mr. Girard, all sects and all creeds are denounced. And would not a prudent father rather send his child where he could get instruction under any form of the Christian religion, than where he could get none at all? There are many instances of institutions, professing one leading creed, educating youths of different sects. The Baptist college in Rhode Island receives and educates youths of all religious sects and all beliefs. The colleges all over New England differ in certain minor points of belief, and yet that is held to be no ground for excluding youth with other forms of belief, and other religious views and sentiments.

But this objection to the multitude and differences of sects is but the old story, the old infidel argument. It is notorious that there are certain great religious truths which are admitted and believed by all Christians. All believe in the existence of a God. All believe in the immortality of the soul. All believe in the responsibility, in another world, for our conduct in this. All believe in the divine authority of the New Testament. Dr. Paley says that a single word from the New Testament shuts up the mouth of human questioning, and excludes all human reasoning. And cannot all these great truths be taught to children without their minds being perplexed with clashing doctrines and sectarian controversies? Most certainly they can.

And, to compare secular with religious matters, what would become of the organization of society, what would become of man as a social being, in connection with the social system, if we applied this mode of reasoning to him in his social relations? We have a constitutional government, about the powers, and limitations, and uses of which there is a vast amount of differences of belief. Your honors have a body of laws, now before you, in relation to which differences of opinion, almost innumerable, are daily spread before the courts; in all these we see clashing doctrines and opinions advanced daily, to as great an extent as in the religious world.

Apply the reasoning advanced by Mr. Girard to human institutions, and you will tear them all up by the root; as

you would inevitably tear all divine institutions up by the root, if such reasoning is to prevail. At the meeting of the first Congress, there was a doubt in the minds of many of the propriety of opening the session with prayer; and the reason assigned was, as here, the great diversity of opinion and religious belief. At length Mr. Samuel Adams, with his gray hairs hanging about his shoulders, and with an impressive venerableness now seldom to be met with, (I suppose owing to the difference of habits,) rose in that assembly, and, with the air of a perfect Puritan, said that it did not become men, professing to be Christian men, who had come together for solemn deliberation in the hour of their extremity, to say that there was so wide a difference in their religious belief, that they could not, as one man, bow the knee in prayer to the Almighty, whose advice and assistance they hoped to obtain. Independent as he was, and an enemy to all prelacy as he was known to be, he moved that the Rev. Mr. Duché, of the Episcopal Church, should address the Throne of Grace in prayer. And John Adams, in a letter to his wife, says that he never saw a more moving spectacle. Mr. Duché read the Episcopal service of the Church of England, and then, as if moved by the occasion, he broke out into extemporaneous prayer. And those men, who were then about to resort to force to obtain their rights, were moved to tears; and floods of tears, Mr. Adams says, ran down the cheeks of the pacific Quakers who formed part of that most interesting assembly. Depend upon it, where there is a spirit of Christianity, there is a spirit which rises above forms, above ceremonies, independent of sect or creed, and the controversies of clashing doctrines.

The consolations of religion can never be administered to any of these sick and dying children in this college. It is said, indeed, that a poor, dying child can be carried out beyond the walls of the school. He can be carried out to a hostelry, or hovel, and there receive those rites of the Christian religion which cannot be performed within those walls, even in his dying hour! Is not all this shocking? What a stricture is it upon this whole scheme! What an

utter condemnation! A dying youth cannot receive religious solace within this seminary of learning!

The truth is, that those who really value Christianity, and believe in its importance, not only to the spiritual welfare of man, but to the safety and prosperity of human society, rejoice that in its revelations and its teachings there is so much which mounts above controversy, and stands on universal acknowledgment. While many things about it are disputed or are dark, they still plainly see its foundation, and its main pillars; and they behold in it a sacred structure, rising up to the heavens. They wish its general principles, and all its great truths, to be spread over the whole earth. But those who do not value Christianity, nor believe in its importance to society or individuals, cavil about sects and schisms, and ring monotonous changes upon the shallow and so often refuted objections founded on alleged variety of discordant creeds and clashing doctrines.

I have heretofore argued to show that the Christian religion, its general principles, must ever be regarded among us as the foundation of civil society; and I have thus far confined my remarks to the tendency and effect of the scheme of Mr. Girard (if carried out) upon the Christian religion. But I will go farther, and say that this school, this scheme or system, in its tendencies and effects, is opposed to all religions, of every kind. I will not now enter into a controversy with my learned friend about the word "tenets," whether it signify opinions or dogmas, or whatever you please. Religious tenets, I take it, and I suppose it will be generally conceded, mean religious opinions; and if a youth has arrived at the age of eighteen, and has no religious tenets, it is very plain that he has no religion. I do not care whether you call them dogmas, tenets, or opinions. If the youth does not entertain dogmas, tenets, or opinions, or opinions, tenets, or dogmas, on religious subjects, then he has no religion at all. And this strikes at a broader principle than when you merely look at this school in its effect upon Christianity alone. We will suppose the case of a youth of eighteen, who has just left this school, and has

gone through an education of philosophical morality, precisely in accordance with the views and expressed wishes of the donor. He comes then into the world to choose his religious tenets. The very next day, perhaps, after leaving school, he comes into a court of law to give testimony as a witness. Sir, I protest that by such a system he would be disfranchised. He is asked, "What is your religion?" His reply is, "O, I have not yet chosen any; I am going to look round, and see which suits me best." He is asked, "Are you a Christian?" He replies, "That involves religious tenets, and as yet I have not been allowed to entertain any." Again, "Do you believe in a future state of rewards and punishments?" And he answers, "That involves sectarian controversies, which have carefully been kept from me." "Do you believe in the existence of a God?" He answers, that there are clashing doctrines involved in these things, which he has been taught to have nothing to do with; that the belief in the existence of a God, being one of the first questions in religion, he is shortly about to think of that proposition. Why, Sir, it is vain to talk about the destructive tendency of such a system; to argue upon it is to insult the understanding of every man; *it is mere, sheer, low, ribald, vulgar deism and infidelity.** It opposes all that is in heaven, and all on earth that is worth being on earth. It destroys the connecting link between the creature and the Creator; it opposes that great system of universal benevolence and goodness that binds man to his Maker. *No religion till he is eighteen!* What would be the condition of all our families, of all our children, if religious fathers and religious mothers were to teach their sons and daughters no religious tenets till they were eighteen? What would become of their morals, their character, their purity of heart and life, their hope for time and eternity? What would become of all those thousand ties of sweetness, benevolence, love, and Christian feeling, that now render our young men and young maidens like comely plants growing up by a streamlet's side; the graces

* The effect of this remark was almost electric, and some one in the court room broke out in applause.

and the grace of opening manhood, of blossoming womanhood? What would become of all that now renders the social circle lovely and beloved? What would become of society itself? How could it exist? And is that to be considered a charity which strikes at the root of all this; which subverts all the excellence and the charms of social life; which tends to destroy the very foundation and framework of society, both in its practices and in its opinions; which subverts the whole decency, the whole morality, as well as the whole Christianity and government, of society? No, Sir! no, Sir!

I now take leave of this cause. I look for no good whatever from the establishment of this school, this college, this scheme, this experiment of an education in "practical morality," unblessed by the influences of religion. It sometimes happens to man to attain by accident that which he could not achieve by long-continued exercise of industry and ability. And it is said even of the man of genius, that by chance he will sometimes "snatch a grace beyond the reach of art." And I believe that men sometimes do mischief, not only beyond their intent, but beyond the ordinary scope of their talents and ability. In my opinion, if Mr. Girard had given years to the study of a mode by which he could dispose of his vast fortune so that no good could arise to the general cause of charity, no good to the general cause of learning, no good to human society, and which should be most productive of protracted struggles, troubles, and difficulties in the popular councils of a great city, he could not so effectually have attained that result as he has by this devise now before the court. It is not the result of good fortunes, but of bad fortunes, which have overridden and cast down whatever of good might have been accomplished by a different disposition. I believe that this plan, this scheme, was unblessed in all its purposes, and in all its original plans. Unwise in all its frame and theory, while it lives it will lead an annoyed and troubled life, and leave an unblessed memory when it dies. If I could persuade myself that this court would come to such a decision as, in my opinion, the public good and the law require, and if I could

believe that any humble efforts of my own had contributed in the least to lead to such a result, I should deem it the crowning mercy of my professional life.

MR. JUSTICE STORY.

At a meeting of the Suffolk Bar, held in the Circuit Court Room, Boston, on the morning of the 12th of September, 1845, the day of the funeral of Mr. Justice Story, Chief Justice Shaw having taken the chair and announced the object of the meeting, Mr. Webster rose and spoke substantially as follows: —

Your solemn announcement, Mr. Chief Justice, has confirmed the sad intelligence which had already reached us, through the public channels of information, and deeply afflicted us all.

Joseph Story, one of the Associate Justices of the Supreme Court of the United States, and for many years the presiding judge of this Circuit, died on Wednesday evening last, at his house in Cambridge, wanting only a few days for the completion of the sixty-sixth year of his age.

This most mournful and lamentable event has called together the whole Bar of Suffolk, and all connected with the courts of law or the profession. It has brought you, Mr. Chief Justice, and your associates of the Bench of the Supreme Court of Massachusetts, into the midst of us; and you have done us the honor, out of respect to the occasion, to consent to preside over us, while we deliberate on what is due, as well to our own afflicted and smitten feelings, as to the exalted character and eminent distinction of the deceased judge. The occasion has drawn from his retirement, also, that venerable man, whom we all so much respect and honor, (Judge Davis,) who was, for thirty years, the associate of the deceased upon the same Bench. It has called hither another judicial personage, now in retirement, (Judge Putnam,) but long an ornament of that Bench of which you are now the head, and whose marked good fortune it is to have been the professional teacher of Mr. Justice Story, and the director of his early studies. He also is present to

whom this blow comes near; I mean, the learned judge (Judge Sprague) from whose side it has struck away a friend and a highly-venerated official associate. The members of the Law School at Cambridge, to which the deceased was so much attached, and who returned that attachment with all the ingenuousness and enthusiasm of educated and ardent youthful minds, are here also, to manifest their sense of their own severe deprivation, as well as their admiration of the bright and shining professional example which they have so loved to contemplate — an example, let me say to them, and let me say to all, as a solace in the midst of their sorrows, which death hath not touched and which time cannot obscure.

Mr. Chief Justice, one sentiment pervades us all. It is that of the most profound and penetrating grief, mixed, nevertheless, with an assured conviction, that the great man whom we deplore is yet with us and in the midst of us. He hath not wholly died. He lives in the affections of friends and kindred, and in the high regard of the community. He lives in our remembrance of his social virtues, his warm and steady friendships, and the vivacity and richness of his conversation. He lives, and will live still more permanently, by his words of written wisdom, by the results of his vast researches and attainments, by his imperishable legal judgments, and by those judicial disquisitions which have stamped his name, all over the civilized world, with the character of a commanding authority. "Vivit, enim, vivetque semper; atque etiam latius in memoria hominum et sermone versabitur, postquam ab oculis recessit."

Mr. Chief Justice, there are consolations which arise to mitigate our loss, and shed the influence of resignation over unfeigned and heartfelt sorrow. We are all penetrated with gratitude to God that the deceased lived so long; that he did so much for himself, his friends, the country, and the world; that his lamp went out, at last, without unsteadiness or flickering. He continued to exercise every power of his mind without dimness or obscuration, and every affection of his heart with no abatement of energy or warmth, till death drew an impenetrable veil between us and him. Indeed, he

seems to us now, as in truth he is, not extinguished or ceasing to be, but only withdrawn; as the clear sun goes down at its setting, not darkened, but only no longer seen.

This calamity, Mr. Chief Justice, is not confined to the bar or the courts of this Commonwealth. It will be felt by every bar throughout the land, by every court, and indeed by every intelligent and well-informed man in or out of the profession. It will be felt still more widely, for his reputation had a still wider range. In the High Court of Parliament, in every tribunal in Westminster Hall, in the judicatories of Paris and Berlin, of Stockholm and St. Petersburg, in the learned universities of Germany, Italy, and Spain, by every eminent jurist in the civilized world, it will be acknowledged that a great luminary has fallen from the firmament of public jurisprudence.

Sir, there is no purer pride of country than that in which we may indulge when we see America paying back the great debt of civilization, learning, and science to Europe. In this high return of light for light and mind for mind, in this august reckoning and accounting between the intellects of nations, Joseph Story was destined by Providence to act, and did act, an important part. Acknowledging, as we all acknowledge, our obligations to the original sources of English law, as well as of civil liberty, we have seen in our generation copious and salutary streams turning and running backward, replenishing their original fountains, and giving a fresher and a brighter green to the fields of English jurisprudence. By a sort of reversed hereditary transmission, the mother, without envy or humiliation, acknowledges that she has received a valuable and cherished inheritance from the daughter. The profession in England admits, with frankness and candor, and with no feeling but that of respect and admiration, that he whose voice we have so recently heard within these walls, but shall now hear no more, was, of all men who have yet appeared, most fitted by the comprehensiveness of his mind, and the vast extent and accuracy of his attainments, to compare the codes of nations, to trace their differences to difference of origin, climate, or religious or political institutions, and to exhibit, nevertheless, their

concurrence in those great principles upon which the system of human civilization rests.

Justice, Sir, is the great interest of man on earth. It is the ligament which holds civilized beings and civilized nations together. Wherever her temple stands, and so long as it is duly honored, there is a foundation for social security, general happiness, and the improvement and progress of our race. And whoever labors on this edifice with usefulness and distinction, whoever clears its foundations, strengthens its pillars, adorns its entablatures, or contributes to raise its august dome still higher in the skies, connects himself, in name, and fame, and character, with that which is and must be as durable as the frame of human society.

All know, Mr. Chief Justice, the pure love of country which animated the deceased, and the zeal, as well as the talent, with which he explained and defended her institutions. His work on the Constitution of the United States is one of his most eminently successful labors. But all his writings, and all his judgments, all his opinions, and the whole influence of his character, public and private, leaned strongly and always to the support of sound principles, to the restraint of illegal power, and to the discouragement and rebuke of licentious and disorganizing sentiments. "Ad rempublicam firmandam, et ad stabiliendas vires, et sanandum populum, omnis ejus pergebat institutio."

But this is not the occasion, Sir, nor is it for me to consider and discuss at length the character and merits of Mr. Justice Story, as a writer or a judge. The performance of that duty, with which this Bar will no doubt charge itself, must be deferred to another opportunity, and will be committed to abler hands. But in the homage paid to his memory, one part may come with peculiar propriety and emphasis from ourselves. We have known him in private life. We have seen him descend from the bench, and mingle in our friendly circles. We have known his manner of life, from his youth up. We can bear witness to the strict uprightness and purity of his character, his simplicity and unostentatious habits, the ease and affability of his intercourse, his remarkable vivacity amidst severe labors, the

cheerful and animating tones of his conversation, and his fast fidelity to friends. Some of us, also, can testify to his large and liberal charities, not ostentatious or casual, but systematic and silent — dispensed almost without showing the hand, and falling and distilling comfort and happiness, like the dews of heaven. But we can testify, also, that in all his pursuits and employments, in all his recreations, in all his commerce with the world, and in his intercourse with the circle of his friends, the predominance of his judicial character was manifest. He never forgot the ermine which he wore. The judge, the judge, the useful and distinguished judge, was the great picture which he kept constantly before his eyes, and to a resemblance of which all his efforts, all his thoughts, all his life, were devoted.

Mr. Chief Justice, one may live as a conqueror, a king, or a magistrate; but he must die as a man. The bed of death brings every human being to his pure individuality; to the intense contemplation of that deepest and most solemn of all relations, the relation between the creature and his Creator. Here it is that fame and renown cannot assist us; that all external things must fail to aid us; that even friends, affection, and human love and devotedness, cannot succor us. This relation, the true foundation of all duty, a relation perceived and felt by conscience and confirmed by revelation, our illustrious friend, now deceased, always acknowledged. He reverenced the Scriptures of truth, honored the pure morality which they teach, and clung to the hopes of future life which they impart. He beheld enough in nature, in himself, and in all that can be known of things seen, to feel assured that there is a Supreme Power, without whose providence not a sparrow falleth to the ground. To this gracious Being he trusted himself for time and for eternity; and the last words of his lips ever heard by mortal ears were a fervant supplication to his Maker to take him to himself.

SOUTHERN TOUR.

In the month of May, 1847, Mr. Webster made a visit to the Southern Atlantic States. He was every where, on his route, received with great respect and cordiality. His intention was to go as far as New Orleans, and to return to the North by way of the Mississippi. Unfortunately he was taken ill at Augusta, in Georgia, and was thus prevented from continuing his journey beyond that place.

RECEPTION AT CHARLESTON, S. C.

Address delivered from the spacious Piazza of the Hotel, on the 7th of May, 1847.

Hon. Franklin H. Elmore, Chairman of the Committee of Reception, addressed Mr. Webster in a most eloquent and friendly manner, and gave him a hearty welcome to the hospitalities of Charleston.

To this address Mr. Webster replied: —

Gentlemen, — It would be an act of as great violence to my own feelings, as of injustice and ingratitude to the hospitality of the citizens of Charleston, if I should fail to express my cordial thanks for the welcome you give me in their behalf, and to reciprocate, to you and to them, my sincere respect and good wishes.

You are quite right, Gentlemen, in supposing that my purpose, in undertaking the tour which has brought me into the midst of you, is to see the country, and the people of the country, and to obtain a better and fuller knowledge of both. Hitherto, I have not been a visitor so far south; and I was unwilling, quite unwilling, to be longer a stranger, personally, in the Southern States. The citizens of Charleston do me an honor, which I most deeply feel, when they say, through you, that they have satisfaction in meeting me at their own homes, and wish to render my visit agreeable. When one is made welcome to the homes of Charleston, I am quite aware that the warmth of hospitality can go no further.

Undoubtedly, Gentlemen, differences of opinion on many subjects exist between your fellow-citizens and myself, and between South Carolina and Massachusetts. But how poor must be that spirit, a spirit which I am sure prevails neither here nor in Massachusetts, which out of these differences would extract cause of social alienation or personal disre-

spect! What would be the value of our political institutions, if men might not differ on public questions, without sacrificing mutual esteem or destroying the sense of common brotherhood? We have diverse political sentiments, but we have but one country. We may differ as to the best manner of serving and honoring that country, but we agree that she is to be served by all to the utmost of their power, and honored by all with filial reverence and patriotic devotion. If we do not always think alike, we all feel alike. We feel that much of the individual happiness, as well as the national renown, which belongs to us now, or may belong to us hereafter, does and will attach to us as the undivided, and I hope always the indivisible, members of the great American republic.

I am happy, Gentlemen, if you think that, while discharging the duties of Secretary of State, I paid just regard to the protection of Southern interests. In my judgment, those interests, important in themselves, were connected with grave questions of public law, questions touching the immunity of flags, and the independence and equality of nations upon the ocean. To the magnitude of these questions I could not be insensible. It is true that they commanded my utmost attention; and if the result has been greater freedom from annoyance, more security for maritime rights, and a general advance in the maintenance of peace and the friendly intercourse of nations, I am bound to ascribe this result rather to the concurrence of fortunate circumstances, and to the encouragement and support of others, than to any ability displayed in my efforts.

I concur with you cordially, Gentlemen, in the sentiment, that mutual intercourse strengthens mutual regard; and that the more citizens of different parts of the country see of one another, the more will asperities be softened, and differences reconciled. I may undertake to say, for Massachusetts, that she is ready, at all times, to meet and to return the respect and the hospitality of South Carolina; and that she remembers ancient ties of union and fraternity; that she acknowledges a common interest, and a common fate,

in a common country; that there is nowhere a juster or a higher appreciation of the men, or the deeds, of this her sister State; and nowhere the prevalence of more earnest wishes for whatever may advance her prosperity and distinction.

Gentlemen, I come among you, with my family, as travellers, but not feeling that we are entirely strangers. I wish to attract no ostentatious notice, but desire only to be regarded as a fellow-countryman and a fellow-citizen, and to see the country and the people without formality or constraint.

Thanking you, and the citizens of Charleston, again, for the cordial welcome extended to me, it remains that I offer you, Gentlemen, personally, the assurance of my high regard; and to this concourse of your fellow-citizens, which now surround us, and whose assembling together, on this occasion, I regard as so respectful, and so imperatively demanding my grateful acknowledgments, I must tender my sincere respects.

Citizens of Charleston! I am happy to regard you as countrymen. We are born to the same inheritance, won by the same patriotism and the same valor. New England blood has moistened the soil where we now stand, shed as readily as at Lexington, or Concord, or Bunker Hill. May it prove a durable cement of the union of our respective States! And may many generations, now far off, find themselves, when they arrive, as we now find ourselves, a free, respectable, united, and prosperous community! I pray you, Gentlemen, accept my sincere good wishes for you all.

DINNER OF THE NEW ENGLAND SOCIETY.

Speech delivered on the 8th of May, 1847, in St. Andrew's Hall, Charleston, S. C.

A. S. WILLINGTON, ESQ., presided.

After a toast from the chair in honor of Massachusetts and South Carolina, Hon. B. F. Hunt, one of the Vice Presidents of the day, made a most eloquent address, and concluded,—

"Mr. President and Gentlemen, I offer as a toast,—

"Our guest: He has a heart large enough to comprehend his whole country — a head wise enough to discern her best interests; we cheer him on his way to view her in all her various aspects, well assured that, the more he sees of her, the better he will like her."

This address and sentiment having been received with loud and repeated cheers and applause, Mr. Webster rose and replied: —

GENTLEMEN, — I am bound to say a few words in acknowledgment of the numerous kind things which have been said by the gentleman who has just addressed you, and the kind manner in which they have been received by the company. In answer to the testimonials of respect and the high compliments so eloquently paid me by my New England friend, I must be permitted to say, that it is a high source of gratification to me to find myself in the city of Charleston, the long-renowned and hospitable city of the South, among those whom I regard as fellow-countrymen, and who look upon me in the same light. The marks of respect and affection thus tendered have penetrated my heart with the most grateful emotions. Colonel Hunt has been pleased, with much propriety and eloquence, to refer to that great instrument of government, the Constitution, and to speak of it in terms habitual to, and expressive of the sentiment of, all American bosoms. Whatever difference of opinion may exist with regard to some of its purposes, all agree that it is the basis of our liberty, the cement of our Union, and the source of our national prosperity and renown. True, the cardinal principle of that instrument and the interpretation of some of its provisions have, at times, led to agitating discussions and dangerous excitements, but every thing is now calm and repose, and

> "All the clouds that lowered upon our house
> In the deep bosom of the ocean buried."

I take great pleasure, Sir, in marking the wise choice that the sons of New England around me have made, in coming to this State. I trust they were not very badly off at home, but they appear to be exceedingly comfortable here. Since "the loud torrent and the whirlwind's roar" did not "bind them to their native mountains more," they have not only

acted wisely in coming hither, but, if they must make a change, I really think they could not have made a better.

Where on this continent is there a higher freedom of social enjoyment, or a more ready extension of the relations of private friendship and the courtesies of refined society, than in this city and State? Nor can I forbear a tribute to the intelligence, enterprise, and hospitality of the citizens of Charleston, where the exiled and the oppressed of the earth, and the victims of religious persecution, the Huguenot as well as the Puritan, have ever found a sanctuary and a home; whither, as the name of this hall instructs us,* the enterprising North-British merchant resorts in the prosecution of business, and for convivial enjoyment; and where that other people, the hapless sons of Ireland, in our day the subjects of so much suffering, and to whose relief the whole of our land, both North and South, are now hastening with one heart and one purse, have also gathered as the home of the oppressed.

My friend has been pleased, in speaking of my public services, to refer to my influence over recent negotiations, connected with the preservation of the peace of the earth. Our true national policy is a policy of peace. I have not felt, for many years, that it is at all necessary for us to make further displays of prowess in arms in order to secure us an enduring national renown. There is no danger that we shall be underrated in the scale of nations, by any defect in this particular. With these views, I have in my public course directed my best efforts to promote the peace of the world, deeming that policy best for the honor and prosperity of our land, and in closest conformity to the benign precepts of Christianity and the humane spirit of modern civilization.

In reference to this policy, I can bear testimony to the able and honorable bearing of the distinguished sons of South Carolina in the councils of the nation. On all the great questions of peace and war, and other questions of national interest, that have been discussed in the halls of

* St. Andrew's Hall.

legislation, they have been arrayed on the side of the country, and a large debt of gratitude is their due.

It is natural on an occasion like this to reflect on the advantages to be derived from free intercourse between the inhabitants of the various sections of the Union, and on the importance of personal communication, to enable us to see and know more of one another, convinced as I am, that, the more we see and know of each other, the higher will be our mutual appreciation, the greater will be our deference for each other's judgments and opinions, and that, by cultivating reciprocal feelings of kindness and courtesy, the stronger will be our ties of fraternal peace and concord, the stronger the great bond of union which holds us together as *United States*. These considerations are especially applicable in this era of developments so favorable to transportation and conveyance, in which distance is so much less measured than formerly by space than time.

Nobody, Sir, will expect a set speech from me at this social board. I have had enough of such speeches elsewhere. I feel that it would be entirely out of keeping with the unceremonious character of the occasion to inflict on the company a formal address. Enough has been already said by me; and it only remains for me to tender my most earnest and cordial good wishes for the happiness and prosperity of the citizens of Charleston and the people of South Carolina.

Mr. Webster concluded with the following toast:—

The people of South Carolina: Distinguished for their hospitality and high social virtues, as much so as for the great names which, at all times, they have given to the public service of the country.

This toast was acknowledged by General Hamilton, who, after a very interesting speech, concluded by offering:—

"The memory of Robert Y. Hayne: A champion worthy to have contended with Daniel Webster, and to have borne on high the glorious banner of our State."

This toast was drank standing and in silence. On the company being again seated, Mr. Webster rose and said,—

The gentleman who has just taken his seat has anticipated me in the tribute he has paid to the memory of his friend, in what I intended to say in the course of the evening. I cordially concur, from the bottom of my heart, in every sentiment he has so eloquently and feelingly uttered. If it was my fortune to be opposed to that gentleman in debate, on an important national question, it only gave me a better opportunity of recognizing his very eminent ability, which was not even surpassed by his gentlemanly accomplishments. I am happy in this assembly to have an opportunity of bearing testimony to his elevated patriotism, his high honor, and incorruptible integrity. No one out of the circle of his immediate relatives and friends more sincerely sympathized in the great public loss that his death occasioned. With this appreciation, we can then well afford to offer another tribute to his distinguished worth. I will give you

The memory of Robert Y. Hayne: A gentleman of courteous and polished manners, of irreproachable life, a lawyer of distinction and eminence, a statesman of ability and talent, and a highly-favored son of his native State.

RECEPTION AT COLUMBIA, S. C.

Abridged from the Columbia South Carolinian of the 17th of May, 1847.

Hon. Daniel Webster (accompanied by his family) visited our town last week. He was received with such honors and hospitalities, public and private, as is suitable to tender to one who fills so eminent a position in our Union. On arriving, he repaired to the mansion of his friend the Hon. Wm. C. Preston, President of the South Carolina College, (whose more especial guest he was,) and in the course of the evening was greeted by several hundred ladies and gentlemen, who had been invited to meet him.

The College buildings and grounds were brilliantly illuminated by the students.

On Friday, at 2 o'clock, Mr. Webster repaired to Clark's Hotel, to receive such of our citizens as might be disposed to make acquaintance with him. Here he was addressed, in behalf of the town authorities, by W. F. De Saussure, Esq., to whom he replied in suitable terms.

The students of the College having held a meeting, and appointed a committee to tender to Mr. Webster their respects and congratulations,

at four o'clock he repaired to the chapel, where Mr. Farrow, of the Senior Class, made to him the following exceedingly well-composed address: —

"HONORABLE SIR, — Allow me, in the name of my fellow-students of the South Carolina College, to present you the assurance of their sincere pleasure at being honored with your presence on this occasion. Conscious we are that our humble tribute can add but little either to your pleasure or your fame. But taught from infancy to respect worth, we could not be silent when we see in our midst one in whom are blended, the finished scholar, the able statesman, the pure patriot; one 'whose fame can no more be hemmed in by State lines,' than the consecrated histories of Boston, Bunker Hill, and Lexington. However warm may be our gratitude to those who sustain our country's honor on the battle field, we are not forgetful of those whose names are interwoven in the history of the councils of state and the debates of senates. And whilst we weave a willing wreath around the victor's brow, we equally offer the homage of our hearts and our understandings to men illustrious as you are, Sir, in civil life. Be assured, Sir, on our part, of a most hearty welcome amongst us."

To which Mr. Webster replied: —

YOUNG GENTLEMEN OF THE SOUTH CAROLINA COLLEGE, — I thank you for the manner in which you have been pleased to receive me, and for the respect which you have manifested. You are of the generation which is to come after us, and your judgments are to form part of the opinion of posterity, in respect to those who are now active in the scenes of life. It will be happy for me, if the mature sentiments of your manhood shall correspond with those thus expressed in your youth.

My young friends, I may well congratulate you on your present condition, and your prospects. You are members of a flourishing institution. You enjoy the teachings of a learned faculty, with a name at its head beloved in private life, highly distinguished in public life, and which confers grace as well as usefulness on these academic groves. Private and family affections cluster round you all; a thousand hopes are cherished for you; all good auspices hover over you. Every one of you may take to himself, in this respect, the language of the poet, —

"Non sine Dis animosus infans."

Let me, then, say to each of you, "Carpe diem." Art is long and science is profound, and literature, in our day, is various and extensive. But you have youth, and health, and the means of culture and improvement, and can accomplish great objects. With you it is the bright and breezy morn of life. A long day, I trust, is before you. Let me advise you to be early in prosecuting the great work, which in that day is to be done. Like the morning of the natural day, let the morning of life begin with devotion to the Great Giver of all good; and let every succeeding hour of that life be filled with acts of duty, and friendship, and private and public beneficence. The evening of such life will be full of hopes for a better; and all will be cheered and consoled by

> "that which should accompany old age,
> As honor, love, obedience, troops of friends."

Young Gentlemen, all my good wishes attend you! May you here sow, with liberal broadcast, the seeds of a future harvest of honor to yourselves, gratification to your friends, and usefulness to your country!

RECEPTION AT SAVANNAH.

Speech delivered on the 26th of May, 1847, in Monument Square, at Savannah, Ga.

AGREEABLY to previous arrangements, at eleven o'clock, the committee of thirteen waited upon Mr. Webster, at his lodgings, and escorted him to the platform erected against the Greene and Pulaski monument, in Monument Square. A large audience of both sexes was in attendance.

Mr. Justice Wayne addressed Mr. Webster in behalf of the people of Savannah, and bade him welcome to the city, and as he said, "We mean it to be a hearty welcome."

Mr. Webster replied: —

SIR, — I beg you to believe me duly sensible of the respect paid me by the citizens of Savannah. They have appointed a committee to welcome me, composed of distinguished citizens, and placed at its head a gentleman well known to myself personally and to the public, as filling with equal honor to himself and the country the high station of

an Associate Justice of the Supreme Court of the United States.

The topics alluded to in the address just delivered are of great and permanent importance. At their head stands that of the Union of the States, and the Constitution. To such parts of the address as are complimentary to myself, I can of course, beyond the expression of my thanks, make no reply. What most becomes me, certainly, in this respect, is a grateful and respectful silence.

Allow me to say, that no more than justice is done me, in ascribing to me a steady adhesion to the Union of the States, upon the principles and according to the provisions of the Constitution.

I have made this present tour, which has proved so delightful to me while enjoying it, and which will leave so many pleasant reminiscences to dwell upon after my return, for the purpose of visiting those younger sisters of the family of the Old Thirteen whom I had not before known. I heartily rejoice that I have done so, for the reception which has welcomed me has proved that we of the North and the South are still brethren in feeling, and members of the same great political family, bound together by the articles of agreement in our glorious Constitution. He must be a presumptuous man indeed, who would venture to think that he could suggest any new features of improvement or in any way improve our present form of united government. By its provisions and compromises I stand, as I have ever stood, and woe to the meddling politicians who would assail them in the hope of getting surer and safer guaranties for State rights and State institutions. In itself it is already complete and perfect; any change could only result in marring the harmony of its separate parts. The Constitution was the result of concessions and compromises. It gave to the general government certain specific rights and duties, and it left to the States the free exercise of their own appropriate rights, and the unrestricted enjoyment of their own laws and the control of their own social institutions. It has stood the test of experience, and proved itself capable, under a wise administration, of carrying forward the prosperity of the

country. Our duty is to be content with the Constitution *as it is*, to resist all changes from whatever quarter, to preserve its original spirit and original purpose; and to commend it, as it is, to the care of those who are to come after us.

You have alluded, Sir, to the spot where we stand, and the monument which rises before us. It reminds us, indeed, of the days of the Revolution, when State called upon State for aid in the cause of independence. What citizen of Massachusetts can forget the noble response of Georgia to her call? Georgia was then far distant; the wonder-working agency of the telegraph, that annihilates space, was then undreamed of, and long and weary miles of wilderness intervened between the oldest and the youngest of the original Thirteen. But the call was heard and answered. The blood of New England, in her turn, was freely poured out upon Southern soil, and her sons stood shoulder to shoulder with those of Georgia in the common cause. Sons and grandsons of those patriots, whom I now address! Georgians! shall we not cherish the recollection of those common sufferings and common dangers, and make them the incentives towards establishing a more perfect harmony between their descendants? Those whom the dangers and perils of war could not sever, peace should not separate.

Others may value this union of confederated States as a convenience, or an arrangement or a compromise of interests; but I desire to see an attachment to the Union existing among the people, not as a deduction of political economy, nor as a result of philosophical reasoning, but cherished as a heartfelt *sentiment*. I wish to see that attachment extended from one extremity of this confederacy to the other, not by telegraphic communications alone, but through the medium of American sympathies acting upon the American heart. Massachusetts, it is true, cannot vie with Georgia in fertility of soil, abundance of resources, or the boundless facilities of internal improvement, which will render her, at no distant day, one of the mightiest of our confederated States. Seven States like Massachusetts might be carved out of Georgia, and yet abundant room be left for the formation of another State. The natural products of Massachusetts (as a South

ern statesman once said) are granite and ice. Many of these stately buildings that tower above me are, I doubt not, indebted to Massachusetts for the granite upon which they are reared. Your lines of railroads, even now stretching almost to the foot of your mountain ranges, beds of entire granite, will soon deprive her of that privilege; but our hyperborean winters will long give us the monopoly of the other article of export, and if we are not destined to be your "hewers of wood and drawers of water," we shall at least be your "*hewers of ice and coolers of water.*"

Never before was I so forcibly impressed with the mighty influence of that great modern discovery, steam power, as an engine of improvement, as when, during my journey hither, I witnessed the passage of the long train of cars through the dense and gloomy pine forests of your interior, self-moved by an inner power which gave no visible signs of its existence and left no trace behind it, cleaving those solitudes as a bird cuts the air, but urged by a power that could know no weariness and whose energies never flagged. It was a most impressive lesson of the might of man in removing natural impediments from his path of progressive improvement.

Knowing, as I do, the rapid march of improvement in your State, that you have already upwards of seven hundred miles of railroad completed, and much more projected, I cannot but reflect upon the great destinies open to the people of Georgia if they will but improve the opportunities within their power.

This mighty agent, steam, is the handmaid of improvements almost beyond contemplation. Each day develops new blessings to be derived from it. It lessens labor, it economizes time, it gives the poor man leisure and ability to travel, it joins together the most remote regions, and brings their inhabitants face to face, establishing a harmony of interest and feeling between them. It limits all distinctions. The poor and the rich, the prince and the peasant, enjoy now equal facilities of travel, and can procure the same comforts and luxuries from distant points, and, when they travel, they sit side by side in the same rail car. The in-

dividual is sinking, and the mass rising up in the majesty of a common manhood. For a long time after the discovery and use of this potent agent, it was thought only applicable to navigation, and this prejudice retarded the march of improvements, which it might have expedited. For a long series of years a communication between the waters of the Atlantic and the Gulf of Mexico, through the peninsula of Florida, has been thought desirable; but this prejudice prevented it, as a canal was considered necessary for that purpose. But railroads are now taking the place of canals, and the completion of a south-western railroad from Savannah to Pensacola is only needed to make those two cities respectively the most prosperous in the South, uniting as it would the best seaport on the Southern Atlantic coast, with almost the only good harbor on the Mexican Gulf.

Five and twenty years ago, from my place in Congress, I pressed this matter, but the times were not ripe for it then. Now it may be and ought to be carried out, and I pledge to this assembly all the aid and influence that I possess in carrying it into execution, as of infinite value to Georgia and the entire Union.

With a graceful and impressive farewell to the audience who had honored him with their presence and approbation, Mr. Webster, amidst tumultuous applause, concluded his eloquent address, of which our meagre sketch is but the faint reflection.

FESTIVAL OF THE SONS OF NEW HAMPSHIRE.

THE Festival was holden on the 7th of November, 1849, in the large hall of the Fitchburg Railway Company, in Boston. Mr. Webster officiated as president of the day. About fifteen hundred persons took part in the festival.

Mr. Webster addressed the meeting.

RESIDENTS of Boston and its vicinity, native born of New Hampshire! we meet here to-day in honor of our native State, to commemorate and record our grateful affection for her; to acknowledge the obligation which we all feel for her care and nurture in our early days. Coming into this,

another State, we have not brought away with us all our affections, or all our attachments.

We have invited to meet us many distinguished citizens of New Hampshire. They have answered our invitation, and have come in numbers. It may be considered properly the duty of the place I occupy to bid them, one and all, welcome. Welcome, ye of New Hampshire origin, from every part and quarter of our native State! If you come from the pleasant valleys of the Connecticut and Merrimack, welcome! Are you from the sea shore and the lakes of Strafford? welcome! Come ye from the Monadnock and the sides of the Crystal Hills? welcome! *welcome!* WELCOME!

Gentlemen, all the world admits that identity of local origin is a tie of connection and sympathy, especially if it be strengthened by early association, by the meeting with one another in the school house, and in the society of early life. In the morning of life, the heart opens all its sympathies to those around it, and receives impressions which are deep and lasting. We have migrated from one State to another. Our migration has not, indeed, been far. Nor have we come among strangers; nor have we had a new tongue to learn, new principles to imbibe, new courses of life to pursue; but, nevertheless, we have changed our allegiance; we have changed our citizenship; we have changed our social relations. New Hampshire men once in all these respects, we have ceased to be New Hampshire men now in every thing but grateful remembrance and affection for the past.

To-day we meet, to resume, for the time, the feelings which belong to us, as citizens of New Hampshire; to put on the New Hampshire character, and see how well it may fit us here, in the metropolis of the State to which we have come. Gentlemen, our lot is propitious; singularly, remarkably propitious. We are the native sons of one State, we are the adopted children of another, and we are proud of both. We desire not to forget whence we came, and Heaven forbid that we should forget where we are. We have met, I say, to commemorate our native State. We value it according to its merits, which we believe high and honorable. We value it for what Nature has

conferred upon it, and for what its hardy sons have done for themselves. We have not forgotten that its scenery is beautiful; that its skies are all-healthful; that its mountains and lakes are surpassingly grand and sublime. If there be any thing on this continent, the work of Nature, in hills, and lakes, and seas, and woods, and forests, strongly attracting the admiration of all those who love natural scenery, it is to be found in our mountain State of New Hampshire.

It happened to me lately to visit the northern parts of the State. It was autumn. The trees of the forests, by the discoloration of the leaves, presented one of the most beautiful spectacles that the human eye can rest upon. But the low and deep murmur of those forests, the fogs and mists, rising and spreading, and clasping the breasts of the mountains, whose heads were still high and bright in the skies, — all these indicated that a wintry storm was on the wing; that the spirit of the mountains was stirred, and that ere long the voice of tempests would speak. But even this was exciting; exciting to those of us who had been witnesses before of such stern forebodings, and exciting in itself, as an exhibition of the grandeur of natural scenery. For my part, I felt the truth of that sentiment, applied elsewhere and on another occasion, that

> "the loud torrent and the whirlwind's roar
> But bound me to my native mountains more."

Ours is not one of the richest of the States. It does not compare with Massachusetts in its facilities of mercantile or commercial occupation and enterprise. Its soil is sterile and stubborn, but the resolution to subdue it is stubborn also. Unrelenting rocks have yielded, and do yield, to unrelenting labor; and there are productiveness, and health, and plenty, and comfort, over all her hills and among all her valleys. Manly strength, the nerved arm of freemen, each one tilling his own land, and standing on his own soil, enjoying what he earns, and ready to defend it, — these have made all comfortable and happy.

Nor need we be ashamed of her literary, her religious, or her social institutions. I have seen, and others of my age have seen, the church and the school house rise and stand

in the very centre of the forest, and seen them resorted to in the midst of winter snows. And where these things lie at the foundation and commencement of society, where the worship of God, the observance of morals, and the culture of the human mind, are springs of action with those who take hold of the original forest, to subdue it by strong arms and strong muscles, there, depend upon it, the people never fail.

Every where, *every where*, on her hills and rivers, are there school houses. The school house; who shall speak of that throughout New England as it ought to be spoken of? Who shall speak, in proper language, of the wisdom, and foresight, and benevolence, and sagacity of our forefathers, in establishing a general system of public instruction as a great public police for the benefit of the whole, as a business in which all are interested? The world had previously seen nothing like it, although some parts of the world have since copied from it. But where, when you talk of fostering governments, of guardian governments, of governments which render to subjects that protection which the allegiance of subjects demands, — where is it, I ask, that, as here with us, it has come to be a great and fundamental proposition, existing before constitutions, that it is the duty, the bounden duty, of governments composed by the representation of all, to lay the foundation of the happiness and respectability of society in universal education? If you can tell me such a country out of New England, I would be glad to hear of it. I know of none, I have read of none.

Gentlemen, the inhabitants of our New Hampshire mountains were, it must be confessed, from the first, rather inclined to the indulgence of a military spirit. I believe that this is common to mountainous regions in most parts of the world. Scotland and Switzerland show the example of hardy, strong men in mountainous regions, attached to war and to the chase; and it is not unfortunate in our New Hampshire history, that this sentiment, to a considerable degree, prevailed. The position of the country and the state of the people called for its exercise. We know tha

New Hampshire was settled, in all its frontier towns, under circumstances of the most dangerous and difficult nature and character. It was a border State. It bordered on the Indians and on the French; names and nations always coupled together in the language of our fathers as common enemies to them. This exposed the frontier men, of New Hampshire especially, to perpetual war; to perpetual danger at least of war, and its frequent occurrence. People forget; they forget how lately it is, that the interior, the border country of New Hampshire, was settled and reclaimed, and made safe from Indian depredation. All the world reads that New England is the oldest part of the United States, or one of the oldest. It has been looked upon as the longest settled. But, in regard to the frontiers of our native State, the settlement has been recent. Even up to the time of the birth of some of us now living, there was some degree of danger from Indian depredations and Indian wars; liability to Indian assaults, murders, and burnings.

Whole generations, at least one entire generation, tilled the land and raised their bread with their arms in their hands, or in the fields with them at their labor. We do not now appreciate the difficulty of those frontier settlements, because subsequent prosperity and security have obliterated the recollection.

As one example out of many, I might refer to General John Stark, well known for his military achievements in all the wars of his time; a hunter in peace, a soldier in war; and as a soldier, always among the foremost and the bravest. And since he is brought to my remembrance, let me dwell upon the recollection for a moment.

General Stark was my neighbor, the neighbor and friend of my father. One in a highly important, the other in a less distinguished situation, they had seen military service together, and had met the enemy in the same field. It was in the decline of Stark's life, comparatively speaking, that the Revolutionary war broke out. He entered into it, however, with all the manliness and all the fervor of his youthful character. Yet, in his advanced age, like other old men, he turned back fondly to earlier scenes; and when he

spoke of the "war," he always meant the old French and Indian war. His remembrances were of Canada; of the exploits at Crown Point, and Ticonderoga, and Lake George. He seemed to think of the Revolution as only a family quarrel, in which, nevertheless, he took a warm and decided part; but he preferred to talk of the "war" in which he was taken by the Indians, as he was more than once, I think, and carried to Canada. The last time I saw him, he was seated around a social fire with his neighbors. As I entered, he greeted me, as he always did, with affection; and I believe he complimented me on my complexion, which he said was like my father's; and his was such, he said, that no one could tell whether he was covered with powder or not. The conversation turned, like other conversations among country neighbors, upon this man's condition and that man's condition; the property of one, and the property of another, and how much each was worth. At last, rousing himself from an apparent slumber, he said, "Well, I never knew but once what I was worth. In the war, the Indians took me, and carried me to Canada, and sold me to the French for forty pounds; and, as they say a thing is worth what it will fetch, I suppose I was worth forty pounds."

These are the scenes, ye native born, this is the history, ye sons of New Hampshire, of the times and the events that brought forth the gallant spirits of our native State into the midst of a still more important and more serious conflict, which began here in 1775. New Hampshire was then full of soldiers; indeed, I may say that the whole of New England was full of soldiers, when the Revolutionary war broke out. New Hampshire, especially, had hardly any body in it that had not been accustomed to bear arms in the previous war. As proof of the soldierlike character of our New England yeomanry, I may mention a fact which should not be forgotten; that, of all the soldiers, regular and militia, which served in the war of independence, Massachusetts and New Hampshire, Connecticut and Rhode Island, — these four little States, which, as you look upon a map of the United States, you can cover with your hand, — these States furnished more than one half of all the men that

achieved our independence. It appears from official and statistical records, that during the war, in the regular service, and in the militia service, from three hundred and seventeen to three hundred and twenty thousand men were employed in our armies. Of these, New England alone furnished more than half.

Then came the war of the Revolution; it broke out here in the State of Massachusetts. Where was New Hampshire then? Was she alienated from the cause, or from her sister State? No. Neither then, nor at any time in the succeeding contest, was her soil subject to the tread of a hostile foot. Whether they thought it not worth entering, or whether they did not choose to encounter the dwellers in her mountains, I do not care to decide. The truth is, no enemy trod on the soil of New Hampshire. But when the strife began, when the beacon fires were lighted here, when the march from Boston to Lexington and Concord had spread the flames of liberty, who answered to the call? Did New Hampshire need to be summoned to Bunker Hill? She came at the first blaze of the beacon fires. None were earlier, none more ready, none more valiant.

I think it is Madame de Staël who says, that "from the mountains of the North there comes nothing but fire and the sword." And on this occasion there did indeed come from our native mountains both fire and the sword; not the fire of devastation and desolation, not the sword of ruthless plunder and massacre, but the fire of LIBERTY and the sword of PATRIOTISM. And how ardently the one burned, and how vigorously the other was wielded till the return of peace enabled the country to sheathe it and be at rest, let the whole history of that country tell.

Gentlemen, from Bunker Hill to Yorktown, there was not a battle in which New Hampshire blood was not shed. I may go further yet; and I may say that there is, probably, of the many hundreds now in this very hall, a representative of some New Hampshire officer or soldier who fell in every field, and left his bones where he fought his battle. The blood, *the blood* of New Hampshire men, falling every where, and in every year of the war, in defence

of the liberty of the country, is here to-night. I hope it is worthy of its descent, and that it will transmit itself undefiled to ages, and ages yet to come.

Those who returned to New Hampshire from that seven years' contest have their graves on the mountain sides and along the valleys of their native land; and those graves are ever objects of public regard and private affection.

> "How sleep the brave, who sink to rest,
> By all their country's wishes blest!
> * * * * *
> And Freedom shall a while repair,
> And dwell, a weeping hermit, there."

They are ever pointed out to the passing traveller as the last resting-place of the patriotic and the brave; and they continue to be watered with the tears of a grateful posterity. But, alas! all did not return. McCleary, the earliest, or one of the earliest, of the New Hampshire victims of the Revolutionary struggle, fell in Charlestown. His blood is mixed with the earth upon which yonder monument stands, raising its head to the skies, and challenging the respect and admiration of the world, for the spot where a military achievement was performed, which, in its results, in the long career of its consequences, in the great course of events which followed it, and their effects upon human happiness and human liberty, has no parallel in the history of mankind.

In regard to the military character of her Revolutionary heroes, and her early statesmen, and in regard to every thing which was done, or ought to have been done, or was expected to be done, to bring New Hampshire honorably and respectably into the great circle of our Union, Gentlemen, I leave all this for abler tongues, fresher recollections, and more persuasive accents. I sit down myself, filled with profound veneration for the character of my native State, and acknowledging to her my own personal debt for her culture and nurture, and determined, so far as in me lies, to transmit the sense of that obligation to those who shall come after me.

After many other gentlemen had addressed the company, Mr. Webster again rose, and spoke as follows:—

The regular toasts have now been gone through. I have occupied this chair as long as it seems to be convenient, and, with a few parting words, I propose to resign it to another.

Gentlemen, departing from the character of particular States, leaving for the present the agreeable thoughts that have entertained us, of our own homes and our own origin, it appears to me, before we part, that it is not improper that we should call to our attention the marked character of the age in which we live, and the great part that, in the dispensations of Divine Providence, we are called upon to act in it.

To act our part well, as American citizens, as members of this great republic, we must understand that part, and the duties which it devolves upon us. We cannot expect to blunder into propriety, or into greatness of action. We must learn the character of the age in which we live, we must learn our own place as a great and leading nation in that age, we must learn to appreciate justly our own position and character, as belonging to a government of a particular form, and we must act, in every case, and upon all subjects, as becomes our relations.

Now, Gentlemen, I venture to say, here and every where, in the face of the world, that there is not on earth any country, at the present moment, so interesting as the United States. I do not say, no country so strong, so rich, so beautiful, so high or commanding; but I say, no country so *interesting*, no country that sets such an example before the world of self-government, no country around which so many hopes and so many fears cluster, no country in regard to which the world with so much earnestness inquires, "What will she come to?"

I need not say that we are at the head of this continent. Who denies that? Who doubts it? Here are more than twenty millions of people, free, commercial, and enterprising, beyond example. They are spread over an immense territory, and that territory has been lately increased by a vast and an extraordinary addition. The country stretches from sea to sea, across the whole breadth of North America, and from the tropics to the great lakes and rivers of the North.

Forty or fifty years ago, an American poet said to his countrymen, —

> "No pent-up Utica contracts our powers,
> For the whole boundless continent is ours."

This was poetic; but the poetry has been advancing, and is still advancing, more and more, to sober truth and reality.

But this is not all, nor is it the most important point. We are brought by steam, and the improvements attendant upon its discovery, into the immediate neighborhood of the great powers of Europe, living under different forms of government; forms in which the aristocratic, or the despotic, or the monarchical element prevails. The United States, the second commercial country in the world, whose intercourse affects every other country, have entered the circle, and are become the immediate neighbors of them all. And what is expected to be the consequence of this proximity, this contiguity, this bringing the republican practice into the immediate presence of despotism, monarchy, and aristocracy? This is the philosophical view which attracts the attention of the observant part of mankind most strongly, and strikes us with the greatest power. What is to be the result?

Gentlemen, between us and the governments of Europe there is no political connection. They have their systems, and we have ours; but then their interests and ours approach, and sometimes coincide. Commercial interests are mingling together all over the civilized world. The information of mankind is becoming common to all nations, and the general tone of sentiment common, in learned circles, and among the masses of intelligent men. In matters of science, taste, commerce, in questions of right and justice, and matters of judicial administration, we think very much alike. But in regard to the origin of government, the form of government, and, in some cases, the end and objects of government, we differ. And yet it is certain that, of all human institutions, government is the chief, and by far the most important; and as the press, at least to a very great extent, in modern times, is free, government, its origin, its forms, its duties, its ends and objects, and its practical

administration, are every where a constant subject of discussion. Now that steam has created such a daily intercourse, and brought countries so much nearer together, men of one nation seem to talk to those of another, on political subjects, as on other subjects, almost like inhabitants of the same city, or the same county. This is a condition of things novel and interesting, and worthy of our reflection. In national relations, we sustain a rank, we hold a certain place, and we have high duties to perform. Of course it is our duty to abstain from all interference in the political affairs of other countries. But then there is one thing which we are bound to do. We are bound to show to the whole world, in the midst of which we are placed, that a regular, steady, conservative government, founded on broad, popular, representative systems, is a practicable thing. We are bound to show, that there may be such a government, not merely for a small, but for a great country, in which life and property shall be secure, religion and the worship of the Deity observed, good morals cultivated, commerce and the arts encouraged, and the general prosperity of all classes maintained and advanced.

It strikes me, and I repeat the sentiment only to show the strength of my own conviction, that our great destiny on earth is to exhibit the practicability of good, safe, secure, popular governments; to prove, and I hope we do prove, that there may be security for property, and for personal rights, that there may be provision for the maintenance of religion and morals, for an extensive diffusion of knowledge, and for carrying all branches of education and culture to their highest pitch, by means of institutions founded on republican principles. The prophecies and the poets are with us. Every body knows Bishop Berkeley's lines, written a hundred years ago: —

"There shall be sung another golden age,
The rise of empire and of arts;
The good and great inspiring epic rage,
The wisest heads and noblest hearts.

"Westward the course of empire takes its way;
The four first acts already past,
A fifth shall close the drama with the day:
Time's noblest offspring is the last."

And at a more recent period, but still when there was nothing to be seen in this vast North American continent but a few colonial settlements, another English poet suggests to his country, that she shall see a great nation, her own offspring, springing up, with wealth, and power, and glory, in the New World: —

> "In other lands, another Britain see;
> And what thou art, America shall be."

But, in regard to this country, there is no poetry like the poetry of events; and all the prophecies lag behind their fulfilment.

That is the doctrine which you, and I, of America, are bound to teach. Does any body doubt that, on this broad, popular platform, there exists now, in these United States, a safe government? Tell me where there is one safer. Or tell me of any on the face of the Old World on which public faith is more confidently reposed. I say the government of the United States is one of the safest. I do not know how long it may be before it will become one of the oldest governments in the world.

We are in an age of progress. That progress is towards self-government by the enlightened portion of the community, every where. And the great question is, how this impulse can be carried on, without running to excess; how popular government can be established, without falling into licentiousness. That is the great question, and we have seen how difficult it is, by those not taught in the school of experience, to establish such a system.

It is a common sentiment uttered by those who would revolutionize Europe, that, to be free, men have only to *will* it. That is a fallacy. There must be prudence and a balancing of departments, and there must be persons who will teach the science of free, popular governments; and there are but few, except in this country, who can teach that science. We have arrived at this ability by an experience of two hundred years. And how has it come? Why, we are an offshoot of the British constitution. In that constitution there is a popular element, that is, a representation of

the people. This element is there mixed up with the monarchical and the aristocratic elements. But our ancestors brought with them no aristocracy, and no monarchical rule, except a general submission and allegiance to the crown of England. Their immediate government was altogether a popular representation; and the country has been thoroughly trained, and schooled, in the practice of such a government.

To abide by the voice of the representatives fairly chosen, by the edicts of those who make the legislative enactments, has been and is our only system. From the first settlement of the colony at Plymouth, through all our subsequent history, we have adhered to this principle. We threw off the power of the king, and we never admitted the power of the Parliament. That was the doctrine of Adams and Jefferson. That was the reason why the Parliament was not alluded to in the Declaration of Independence. The Colonies acknowledged the power of the crown, but never having acknowledged the authority of the Parliament, they disdained to give any reason for throwing it off.

When the Revolution severed us from the mother country, we had nothing to do but to go on with our elections, supplying the governors no longer appointed by the crown by our own election, thus making the whole government popular, and to proceed as at first. It was in this way that the Colonies of Connecticut and Rhode Island were enabled, down to a very late period, to continue their ancient constitutions.

If you look any where, beside at France, on the continent of Europe, can you find any thing that bears the aspect of a representative government? There is nothing. It is very difficult to establish a free conservative government for the equal advancement of all the interests of society. What has Germany done, learned Germany, fuller of ancient lore than all the world beside? What has Italy done, what have they done who dwell on the spot where Cicero and Cato lived? They have not the power of self-government which a common town meeting with us possesses.

Yes, I say that those persons who have gone from our town meetings to dig gold in California, are more fit to make a republican government than any body of men in

Germany or Italy, because they have learned this one great lesson, that there is no security without law, and that, under the circumstances in which they are placed, where there is no military authority to overawe them, there is no sovereign will but the will of the majority; that therefore, if they remain, they must submit to that will.

It is the prevalence of this general sentiment of obedience to law, — that they must have representatives, and that, if they be fairly chosen, their edicts must stand for law, — it is the general diffusion of this opinion that enables our people every where to govern themselves. Where they have our habits, you will find that they will establish government upon the foundation of a free, popular constitution, and nothing else.

Now I think, Gentlemen, that while we prescribe no forms, while we dictate to nobody, our mission is to show that a constitutional, representative, conservative government, founded on the freest possible principles, can do, *can do*, for the advancement of general morals and the general prosperity, as much as any other government can do.

THE CONSTITUTION AND THE UNION.

Speech delivered in the Senate of the United States, on the 7th of March, 1850.

On the 25th of January, 1850, Mr. Clay submitted a series of resolutions to the Senate, on the subject of slavery, in connection with the various questions which had arisen in consequence of the acquisition of Mexican territory. On Wednesday, the 6th of March, Mr. Walker, of Wisconsin, engaged in the discussion, but was unable to finish his argument. In the mean time, it had been generally understood that Mr. Webster would, at an early day, take an opportunity of addressing the Senate on the present aspect of the slavery question, on the dangers to the Union of the existing agitation, and on the terms of honorable adjustment. On Thursday, the 7th of March, at 12 o'clock, the special order of the day was announced, and the Vice President stated that Mr. Walker, of Wisconsin, was entitled to the floor. That gentleman, however, rose and said, —

"Mr. President, this vast audience has not come together to hear me, and there is but one man, in my opinion, who can assemble such an audience. They expect to hear him, and I feel it to be my duty, there-

fore, as it is my pleasure, to give the floor to the Senator from Massachusetts. I understand it is immaterial to him upon which of these questions he speaks, and, therefore, I will not move to postpone the special order."

Mr. Webster then rose, and, after making his acknowledgments to the Senators from Wisconsin, (Mr. Walker,) and New York, (Mr. Seward,) for their courtesy in yielding the floor to him, addressed the Senate.

MR. PRESIDENT, — I wish to speak to-day, not as a Massachusetts man, nor as a Northern man, but as an American, and a member of the Senate of the United States. It is fortunate that there is a Senate of the United States; a body not yet moved from its propriety, not lost to a just sense of its own dignity and its own high responsibilities, and a body to which the country looks, with confidence, for wise, moderate, patriotic, and healing counsels. It is not to be denied that we live in the midst of strong agitations, and are surrounded by very considerable dangers to our institutions and government. The imprisoned winds are let loose. The East, the North, and the stormy South combine to throw the whole sea into commotion, to toss its billows to the skies, and disclose its profoundest depths. I do not affect to regard myself, Mr. President, as holding, or as fit to hold, the helm in this combat with the political elements; but I have a duty to perform, and I mean to perform it with fidelity, not without a sense of existing dangers, but not without hope. I have a part to act, not for my own security or safety, for I am looking out for no fragment upon which to float away from the wreck, if wreck there must be, but for the good of the whole, and the preservation of all; and there is that which will keep me to my duty during this struggle, whether the sun and the stars shall appear, or shall not appear for many days. I speak to-day for the preservation of the Union. "Hear me for my cause." I speak to-day, out of a solicitous and anxious heart, for the restoration to the country of that quiet and that harmony which make the blessings of this Union so rich, and so dear to us all. These are the topics that I propose to myself to discuss; these are the motives, and the sole motives, that influence me in the wish to communicate my opinions to the

Senate and the country; and if I can do any thing, however little, for the promotion of these ends, I shall have accomplished all that I expect.

Mr. President, it may not be amiss to recur very briefly to the events which, equally sudden and extraordinary, have brought the country into its present political condition. In May, 1846, the United States declared war against Mexico. Our armies, then on the frontiers, entered the provinces of that republic, met and defeated all her troops, penetrated her mountain passes, and occupied her capital. The marine force of the United States took possession of her forts and her towns, on the Atlantic and on the Pacific. In less than two years a treaty was negotiated, by which Mexico ceded to the United States a vast territory, extending seven or eight hundred miles along the shores of the Pacific, and reaching back over the mountains, and across the desert, until it joins the frontier of the State of Texas. It so happened, in the distracted and feeble condition of the Mexican government, that, before the declaration of war by the United States against Mexico had become known in California, the people of California, under the lead of American officers, overthrew the existing Mexican provincial government, and raised an independent flag. When the news arrived at San Francisco that war had been declared by the United States against Mexico, this independent flag was pulled down, and the stars and stripes of this Union hoisted in its stead. So, Sir, before the war was over, the forces of the United States, military and naval, had possession of San Francisco and Upper California, and a great rush of emigrants from various parts of the world took place into California in 1846 and 1847. But now behold another wonder.

In January of 1848, a party of Mormons made a discovery of an extraordinarily rich mine of gold, or rather of a great quantity of gold, hardly proper to be called a mine, for it was spread near the surface, on the lower part of the south, or American, branch of the Sacramento. They attempted to conceal their discovery for some time; but soon another discovery of gold, perhaps of greater importance,

was made, on another part of the American branch of the Sacramento, and near Sutter's Fort, as it is called. The fame of these discoveries spread far and wide. They inflamed more and more the spirit of emigration towards California, which had already been excited, and adventurers crowded into the country by hundreds, and flocked towards the Bay of San Francisco. This, as I have said, took place in the winter and spring of 1848. The digging commenced in the spring of that year, and from that time to this the work of searching for gold has been prosecuted with a success not heretofore known in the history of this globe. You recollect, Sir, how incredulous at first the American public was at the accounts which reached us of these discoveries; but we all know, now, that these accounts received, and continue to receive, daily confirmation, and down to the present moment I suppose the assurance is as strong, after the experience of these several months, of the existence of deposits of gold apparently inexhaustible in the regions near San Francisco, in California, as it was at any period of the earlier dates of the accounts.

It so happened, Sir, that although, after the return of peace, it became a very important subject for legislative consideration and legislative decision to provide a proper territorial government for California, yet differences of opinion between the two houses of Congress prevented the establishment of any such territorial government at the last session. Under this state of things, the inhabitants of California, already amounting to a considerable number, thought it to be their duty, in the summer of last year, to establish a local government. Under the proclamation of General Riley, the people chose delegates to a convention, and that convention met at Monterey. It formed a constitution for the State of California, which, being referred to the people, was adopted by them in their primary assemblages. Desirous of immediate connection with the United States, its Senators were appointed and Representatives chosen, who have come hither, bringing with them the authentic constitution of the State of California; and they now present themselves, asking, in behalf of their constituents, that it

may be admitted into this Union as one of the United States. This constitution, Sir, contains an express prohibition of slavery, or involuntary servitude, in the State of California. It is said, and I suppose truly, that, of the members who composed that convention, some sixteen were natives of, and had been residents in, the slaveholding States, about twenty-two were from the non-slaveholding States, and the remaining ten members were either native Californians or old settlers in that country. This prohibition of slavery, it is said, was inserted with entire unanimity.

It is this circumstance, Sir, the prohibition of slavery, which has contributed to raise, I do not say it has wholly raised, the dispute as to the propriety of the admission of California into the Union under this constitution. It is not to be denied, Mr. President, nobody thinks of denying, that, whatever reasons were assigned at the commencement of the late war with Mexico, it was prosecuted for the purpose of the acquisition of territory, and under the alleged argument that the cession of territory was the only form in which proper compensation could be obtained by the United States from Mexico, for the various claims and demands which the people of this country had against that government. At any rate, it will be found that President Polk's message, at the commencement of the session of December, 1847, avowed that the war was to be prosecuted until some acquisition of territory should be made. As the acquisition was to be south of the line of the United States, in warm climates and countries, it was naturally, I suppose, expected by the South, that whatever acquisitions were made in that region would be added to the slaveholding portion of the United States. Very little of accurate information was possessed of the real physical character, either of California or New Mexico, and events have not turned out as was expected. Both California and New Mexico are likely to come in as free States; and therefore some degree of disappointment and surprise has resulted. In other words, it is obvious that the question which has so long harassed the country, and at some times very seriously alarmed the minds of wise and good men, has come upon

us for a fresh discussion; the question of slavery in these United States.

Now, Sir, upon the general nature and influence of slavery there exists a wide difference of opinion between the northern portion of this country and the southern. It is said on the one side, that, although not the subject of any injunction or direct prohibition in the New Testament, slavery is a wrong; that it is founded merely in the right of the strongest; and that it is an oppression, like unjust wars, like all those conflicts by which a powerful nation subjects a weaker to its will; and that, in its nature, whatever may be said of it in the modifications which have taken place, it is not according to the meek spirit of the Gospel. It is not "kindly affectioned;" it does not "seek another's, and not its own;" it does not "let the oppressed go free." These are sentiments that are cherished, and of late with greatly augmented force, among the people of the Northern States. They have taken hold of the religious sentiment of that part of the country, as they have, more or less, taken hold of the religious feelings of a considerable portion of mankind. The South, upon the other side, having been accustomed to this relation between the two races all their lives, from their birth, having been taught, in general, to treat the subjects of this bondage with care and kindness, and I believe, in general, feeling great kindness for them, have not taken the view of the subject which I have mentionen. There are thousands of religious men, with consciences as tender as any of their brethren at the North, who do not see the unlawfulness of slavery; and there are more thousands, perhaps, that, whatsoever they may think of it in its origin, and as a matter depending upon natural right, yet take things as they are, and, finding slavery to be an established relation of the society in which they live, can see no way in which, let their opinions on the abstract question be what they may, it is in the power of the present generation to relieve themselves from this relation. And candor obliges me to say, that I believe they are just as conscientious, many of them, and the religious people, all of them, as they are at the North who hold different opinions.

But we must view things as they are. Slavery does exist in the United States. It did exist in the States before the adoption of this Constitution, and at that time. Let us, therefore, consider for a moment what was the state of sentiment, North and South, in regard to slavery, at the time this Constitution was adopted. A remarkable change has taken place since; but what did the wise and great men of all parts of the country think of slavery then? In what estimation did they hold it at the time when this Constitution was adopted? It will be found, Sir, if we will carry ourselves by historical research back to that day, and ascertain men's opinions by authentic records still existing among us, that there was then no diversity of opinion between the North and the South upon the subject of slavery. It will be found that both parts of the country held it equally an evil, a moral and political evil. It will not be found that, either at the North or at the South, there was much, though there was some, invective against slavery as inhuman and cruel. The great ground of objection to it was political; that it weakened the social fabric; that, taking the place of free labor, society became less strong and labor less productive; and therefore we find from all the eminent men of the time the clearest expression of their opinion that slavery is an evil. They ascribed its existence here, not without truth, and not without some acerbity of temper and force of language, to the injurious policy of the mother country, who, to favor the navigator, had entailed these evils upon the Colonies. I need hardly refer, Sir, particularly to the publications of the day. They are matters of history on the record. The eminent men, the most eminent men, and nearly all the conspicuous politicians of the South, held the same sentiments; that slavery was an evil, a blight, a scourge, and a curse. There are no terms of reprobation of slavery so vehement in the North at that day as in the South. The North was not so much excited against it as the South; and the reason is, I suppose, that there was much less of it at the North, and the people did not see, or think they saw, the evils so prominently as they were seen, or thought to be seen, at the South.

Then, Sir, when this Constitution was framed, this was the light in which the Federal Convention viewed it. That body reflected the judgment and sentiments of the great men of the South. A member of the other house, whom I have not the honor to know, has, in a recent speech, collected extracts from these public documents. They prove the truth of what I am saying, and the question then was, how to deal with it, and how to deal with it as an evil. They came to this general result. They thought that slavery could not be continued in the country if the importation of slaves were made to cease, and therefore they provided that, after a certain period, the importation might be prevented by the act of the new government. The period of twenty years was proposed by some gentleman from the North, I think, and many members of the Convention from the South opposed it as being too long. Mr. Madison especially was somewhat warm against it. He said it would bring too much of this mischief into the country to allow the importation of slaves for such a period. Because we must take along with us, in the whole of this discussion, when we are considering the sentiments and opinions in which the constitutional provision originated, that the conviction of all men was, that, if the importation of slaves ceased, the white race would multiply faster than the black race, and that slavery would therefore gradually wear out and expire. It may not be improper here to allude to that, I had almost said, celebrated opinion of Mr. Madison. You observe, Sir, that the term *slave*, or *slavery*, is not used in the Constitution. The Constitution does not require that "fugitive slaves" shall be delivered up. It requires that persons held to service in one State, and escaping into another, shall be delivered up. Mr. Madison opposed the introduction of the term *slave*, or *slavery*, into the Constitution; for he said that he did not wish to see it recognized by the Constitution of the United States of America that there could be property in men.

Now, Sir, all this took place in the Convention in 1787; but connected with this, concurrent and contemporaneous, is another important transaction, not sufficiently attended to.

The Convention for framing this Constitution assembled in Philadelphia in May, and sat until September, 1787. During all that time the Congress of the United States was in session at New York. It was a matter of design, as we know, that the Convention should not assemble in the same city where Congress was holding its sessions. Almost all the public men of the country, therefore, of distinction and eminence, were in one or the other of these two assemblies; and I think it happened, in some instances, that the same gentlemen were members of both bodies. If I mistake not, such was the case with Mr. Rufus King, then a member of Congress from Massachusetts. Now, at the very time when the Convention in Philadelphia was framing this Constitution, the Congress in New York was framing the Ordinance of 1787, for the organization and government of the territory north-west of the Ohio. They passed that Ordinance on the 13th of July, 1787, at New York, the very month, perhaps the very day, on which these questions about the importation of slaves and the character of slavery were debated in the Convention at Philadelphia. So far as we can now learn, there was a perfect concurrence of opinion between these two bodies; and it resulted in this Ordinance of 1787, excluding slavery from all the territory over which the Congress of the United States had jurisdiction, and that was all the territory north-west of the Ohio. Three years before, Virginia and other States had made a cession of that great territory to the United States; and a most munificent act it was. I never reflect upon it without a disposition to do honor and justice, and justice would be the highest honor, to Virginia, for the cession of her north-western territory. I will say, Sir, it is one of her fairest claims to the respect and gratitude of the country, and that, perhaps, it is only second to that other claim which belongs to her; that from her counsels, and from the intelligence and patriotism of her leading statesmen, proceeded the first idea put into practice of the formation of a general constitution of the United States. The Ordinance of 1787 applied to the whole territory over which the Congress of the United States had jurisdiction. It was adopted two years before the Constitution

of the United States went into operation; because the Ordinance took effect immediately on its passage, while the Constitution of the United States, having been framed, was to be sent to the States to be adopted by their Conventions; and then a government was to be organized under it. This Ordinance, then, was in operation and force when the Constitution was adopted, and the government put in motion, in April, 1789.

This was the state of things, Sir, and this the state of opinion, under which those very important matters were arranged, and those three important things done; that is, the establishment of the Constitution of the United States with a recognition of slavery as it existed in the States; the establishment of the ordinance for the government of the North-western Territory, prohibiting, to the full extent of all territory owned by the United States, the introduction of slavery into that territory, while leaving to the States all power over slavery in their own limits; and creating a power, in the new government, to put an end to the importation of slaves, after a limited period. There was entire coincidence and concurrence of sentiment between the North and the South, upon all these questions, at the period of the adoption of the Constitution. But opinions, Sir, have changed, greatly changed; changed North and changed South. Slavery is not regarded in the South now as it was then. I see an honorable member of this body paying me the honor of listening to my remarks; * he brings to my mind, Sir, freshly and vividly, what I have learned of his great ancestor, so much distinguished in his day and generation, so worthy to be succeeded by so worthy a grandson, and of the sentiments he expressed in the Convention in Philadelphia.

Here we may pause. There was, if not an entire unanimity, a general concurrence of sentiment running through the whole community, and especially entertained by the eminent men of all parts of the country. But soon a change began, at the North and the South, and a difference of opinion showed itself; the North growing much more warm

* Mr. Mason of Virginia.

and strong against slavery, and the South growing much more warm and strong in its support. Sir, there is no generation of mankind whose opinions are not subject to be influenced by what appear to them to be their present emergent and exigent interests. I impute to the South no particularly selfish view in the change which has come over her. I impute to her certainly no dishonest view. All that has happened has been natural. It has followed those causes which always influence the human mind and operate upon it. What, then, have been the causes which have created so new a feeling in favor of slavery in the South, which have changed the whole nomenclature of the South on that subject, so that, from being thought and described in the terms I have mentioned and will not repeat, it has now become an institution, a cherished institution, in that quarter; no evil, no scourge, but a great religious, social, and moral blessing, as I think I have heard it latterly spoken of? I suppose this, Sir, is owing to the rapid growth and sudden extension of the COTTON plantations of the South. So far as any motive consistent with honor, justice, and general judgment could act, it was the COTTON interest that gave a new desire to promote slavery, to spread it, and to use its labor. I again say that this change was produced by causes which must always produce like effects. The whole interest of the South became connected, more or less, with the extension of slavery. If we look back to the history of the commerce of this country in the early years of this government, what were our exports? Cotton was hardly, or but to a very limited extent, known. In 1791 the first parcel of cotton of the growth of the United States was exported, and amounted only to 19,200 pounds. It has gone on increasing rapidly, until the whole crop may now, perhaps, in a season of great product and high prices, amount to a hundred millions of dollars. In the years I have mentioned, there was more of wax, more of indigo, more of rice, more of almost every article of export from the South, than of cotton. When Mr. Jay negotiated the treaty of 1794 with England, it is evident from the twelfth article of the treaty, which was suspended by the Senate, that he did not know that cotton was exported at all from the United States.

Well, Sir, we know what followed. The age of cotton became the golden age of our Southern brethren. It gratified their desire for improvement and accumulation, at the same time that it excited it. The desire grew by what it fed upon, and there soon came to be an eagerness for other territory, a new area or new areas for the cultivation of the cotton crop; and measures leading to this result were brought about rapidly, one after another, under the lead of Southern men at the head of the government, they having a majority in both branches of Congress to accomplish their ends. The honorable member from South Carolina* observed that there has been a majority all along in favor of the North. If that be true, Sir, the North has acted either very liberally and kindly, or very weakly; for they never exercised that majority efficiently five times in the history of the government, when a division or trial of strength arose. Never. Whether they were outgeneralled, or whether it was owing to other causes, I shall not stop to consider; but no man acquainted with the history of the Union can deny that the general lead in the politics of the country, for three fourths of the period that has elapsed since the adoption of the Constitution, has been a Southern lead.

In 1802, in pursuit of the idea of opening a new cotton region, the United States obtained a cession from Georgia of the whole of her western territory, now embracing the rich and growing States of Alabama and Mississippi. In 1803 Louisiana was purchased from France, out of which the States of Louisiana, Arkansas, and Missouri have been framed, as slaveholding States. In 1819 the cession of Florida was made, bringing in another region adapted to cultivation by slaves. Sir, the honorable member from South Carolina thought he saw in certain operations of the government, such as the manner of collecting the revenue, and the tendency of measures calculated to promote emigration into the country, what accounts for the more rapid growth of the North than the South. He ascribes that more rapid growth, not to the operation of time, but to the system of government and administration established under this Constitution. That is matter of opinion. To a certain ex-

* Mr. Calhoun.

tent it may be true; but it does seem to me, that, if any operation of the government can be shown in any degree to have promoted the population, and growth, and wealth of the North, it is much more sure that there are sundry important and distinct operations of the government, about which no man can doubt, tending to promote, and which absolutely have promoted, the increase of the slave interest and the slave territory of the South. It was not time that brought in Louisiana; it was the act of men. It was not time that brought in Florida; it was the act of men. And lastly, Sir, to complete those acts of legislation which have contributed so much to enlarge the area of the institution of slavery, Texas, great and vast and illimitable Texas, was added to the Union as a slave State in 1845; and that, Sir, pretty much closed the whole chapter, and settled the whole account.

That closed the whole chapter and settled the whole account, because the annexation of Texas, upon the conditions and under the guaranties upon which she was admitted, did not leave within the control of this government an acre of land, capable of being cultivated by slave labor, between this Capitol and the Rio Grande or the Nueces, or whatever is the proper boundary of Texas; not an acre. From that moment, the whole country, from this place to the western boundary of Texas, was fixed, pledged, fastened, decided, to be slave territory for ever, by the solemn guaranties of law. And I now say, Sir, as the proposition upon which I stand this day, and upon the truth and firmness of which I intend to act until it is overthrown, that there is not at this moment within the United States, or any territory of the United States, a single foot of land, the character of which, in regard to its being free territory or slave territory, is not fixed by some law, and some irrepealable law, beyond the power of the action of the government. Is it not so with respect to Texas? It is most manifestly so. The honorable member from South Carolina, at the time of the admission of Texas, held an important post in the executive department of the government; he was Secretary of State. Another eminent person of great activity

and adroitness in affairs, I mean the late Secretary of the Treasury, was a conspicuous member of this body, and took the lead in the business of annexation, in coöperation with the Secretary of State; and I must say that they did their business faithfully and thoroughly; there was no botch left in it. They rounded it off, and made as close joiner work as ever was exhibited. Resolutions of annexation were brought into Congress, fitly joined together, compact, efficient, conclusive upon the great object which they had in view, and those resolutions passed.

Allow me to read a part of these resolutions. It is the third clause of the second section of the resolution of the 1st of March, 1845, for the admission of Texas, which applies to this part of the case. That clause is as follows: —

"New States, of convenient size, not exceeding four in number, in addition to said State of Texas, and having sufficient population, may hereafter, by the consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the Federal Constitution. And such States as may be formed out of that portion of said territory lying south of thirty-six degrees thirty minutes north latitude, commonly known as the Missouri Compromise line, shall be admitted into the Union with or without slavery, as the people of each State asking admission may desire; and in such State or States as shall be formed out of said territory north of said Missouri Compromise line, slavery or involuntary servitude (except for crime) shall be prohibited."

Now, what is here stipulated, enacted, and secured? It is, that all Texas south of 36° 30′, which is nearly the whole of it, shall be admitted into the Union as a slave State. It was a slave State, and therefore came in as a slave State; and the guaranty is, that new States shall be made out of it, to the number of four, in addition to the State then in existence and admitted at that time by these resolutions, and that such States as are formed out of that portion of Texas lying south of 36° 30′ may come in as slave States. I know no form of legislation which can strengthen this. I know no mode of recognition that can add a tittle of weight to it. I know no way, I candidly confess, in which this government, acting in good faith, as I trust it always will, can relieve itself from that stipulation and pledge, by any honest course of legislation whatever.

I hope, Sir, it is now apparent that my proposition, so far as it respects Texas, has been maintained, and that the provision in this article is clear and absolute; and it has been well suggested by my friend from Rhode Island,* that that part of Texas which lies north of 36° 30′ of north latitude, and which may be formed into free States, is dependent, in like manner, upon the consent of Texas, herself a slave State.

Now, Sir, how came this? How came it to pass that within these walls, where it is said by the honorable member from South Carolina that the free States have always had a majority, this resolution of annexation, such as I have described it, obtained a majority in both houses of Congress? Sir, it obtained that majority by the great number of Northern votes added to the entire Southern vote, or at least nearly the whole of the Southern vote. The aggregate was made up of Northern and Southern votes. In the House of Representatives there were about eighty Southern votes and about fifty Northern votes for the admission of Texas. In the Senate the vote for the admission of Texas was twenty-seven, and twenty-five against it; and of those twenty-seven votes, constituting the majority, no less than thirteen came from the free States, and four of them were from New England. The whole of these thirteen Senators, constituting within a fraction, you see, one half of all the votes in this body for the admission of this immeasurable extent of slave territory, were sent here by free States.

Sir, there is not so remarkable a chapter in our history of political events, political parties, and political men as is afforded by this admission of a new slaveholding territory, so vast that a bird cannot fly over it in a week. New England, as I have said, with some of her own votes, supported this measure. Three fourths of the votes of liberty-loving Connecticut were given for it in the other house, and one half here. There was one vote for it from Maine, but, I am happy to say, not the vote of the honorable member who addressed the Senate the day before yesterday,† and who was then a Representative from Maine in the House of Representatives; but there was one vote from Maine, ay,

* Mr. Greene. † Mr. Hamlin.

Confederacy might be formed. I am sorry, Sir, that it has ever been thought of, talked of, or dreamed of, in the wildest flights of human imagination. But the idea, so far as it exists, must be of a separation, assigning the slave States to one side, and the free States to the other. Sir, I may express myself too strongly, perhaps, but there are impossibilities in the natural as well as in the physical world, and I hold the idea of a separation of these States, those that are free to form one government, and those that are slaveholding to form another, as such an impossibility. We could not separate the States by any such line, if we were to draw it. We could not sit down here to-day and draw a line of separation that would satisfy any five men in the country. There are natural causes that would keep and tie us together, and there are social and domestic relations which we could not break if we would, and which we should not if we could.

Sir, nobody can look over the face of this country at the present moment, nobody can see where its population is the most dense and growing, without being ready to admit, and compelled to admit, that ere long the strength of America will be in the Valley of the Mississippi. Well, now, Sir, I beg to inquire what the wildest enthusiast has to say on the possibility of cutting that river in two, and leaving free States at its source and on its branches, and slave States down near its mouth, each forming a separate government? Pray, Sir, let me say to the people of this country, that these things are worthy of their pondering and of their consideration. Here, Sir, are five millions of freemen in the free States, north of the river Ohio. Can any body suppose that this population can be severed by a line that divides them from the territory of a foreign and an alien government, down somewhere, the Lord knows where, upon the lower banks of the Mississippi? What would become of Missouri? Will she join the *arrondissement* of the slave States? Shall the man from the Yellow Stone and the Platte be connected, in the new republic, with the man who lives on the southern extremity of the Cape of Florida? Sir, I am ashamed to pursue this line of remark. I dislike

it, I have an utter disgust for it. I would rather hear of natural blasts and mildews, war, pestilence, and famine, than to hear gentlemen talk of secession. To break up this great government! to dismember this glorious country! to astonish Europe with an act of folly such as Europe for two centuries has never beheld in any government or any people! No, Sir! no, Sir! There will be no secession! Gentlemen are not serious when they talk of secession.

I have one other remark to make. In my observations upon slavery as it has existed in this country, and as it now exists, I have expressed no opinion of the mode of its extinguishment or melioration. I will say, however, though I have nothing to propose, because I do not deem myself so competent as other gentlemen to take any lead on this subject, that if any gentleman from the South shall propose a scheme, to be carried on by this government upon a large scale, for the transportation of free colored people to any colony or any place in the world, I should be quite disposed to incur almost any degree of expense to accomplish that object. Nay, Sir, following an example set more than twenty years ago by a great man,* then a Senator from New York, I would return to Virginia, and through her to the whole South, the money received from the lands and territories ceded by her to this government, for any such purpose as to remove, in whole or in part, or in any way to diminish or deal beneficially with, the free colored population of the Southern States. I have said that I honor Virginia for her cession of this territory. There have been received into the treasury of the United States eighty millions of dollars, the proceeds of the sales of the public lands ceded by her. If the residue should be sold at the same rate, the whole aggregate will exceed two hundred millions of dollars. If Virginia and the South see fit to adopt any proposition to relieve themselves from the free people of color among them, or such as may be made free, they have my full consent that the government shall pay them any sum of money out of the proceeds of that cession which may be adequate to the purpose.

* Mr. Rufus King.

And now, Mr. President, I draw these observations to a close. I have spoken freely, and I meant to do so. I have sought to make no display. I have sought to enliven the occasion by no animated discussion, nor have I attempted any train of elaborate argument. I have wished only to speak my sentiments, fully and at length, being desirous, once and for all, to let the Senate know, and to let the country know, the opinions and sentiments which I entertain on all these subjects. These opinions are not likely to be suddenly changed. If there be any future service that I can render to the country, consistently with these sentiments and opinions, I shall cheerfully render it. If there be not, I shall still be glad to have had an opportunity to disburden myself from the bottom of my heart, and to make known every political sentiment that therein exists.

And now, Mr. President, instead of speaking of the possibility or utility of secession, instead of dwelling in those caverns of darkness, instead of groping with those ideas so full of all that is horrid and horrible, let us come out into the light of day; let us enjoy the fresh air of Liberty and Union; let us cherish those hopes which belong to us; let us devote ourselves to those great objects that are fit for our consideration and our action; let us raise our conceptions to the magnitude and the importance of the duties that devolve upon us; let our comprehension be as broad as the country for which we act, our aspirations as high as its certain destiny; let us not be pigmies in a case that calls for men. Never did there devolve on any generation of men higher trusts than now devolve upon us, for the preservation of this Constitution and the harmony and peace of all who are destined to live under it. Let us make our generation one of the strongest and brightest links in that golden chain which is destined, I fondly believe, to grapple the people of all the States to this Constitution for ages to come. We have a great, popular, constitutional government, guarded by law and by judicature, and defended by the affections of the whole people. No monarchical throne presses these States together, no iron chain of military power encircles them; they live and stand under a government popular in

its form, representative in its character, founded upon principles of equality, and so constructed, we hope, as to last for ever. In all its history it has been beneficent; it has trodden down no man's liberty; it has crushed no State. Its daily respiration is liberty and patriotism; its yet youthful veins are full of enterprise, courage, and honorable love of glory and renown. Large before, the country has now, by recent events, become vastly larger. This republic now extends, with a vast breadth, across the whole continent. The two great seas of the world wash the one and the other shore. We realize, on a mighty scale, the beautiful description of the ornamental border of the buckler of Achilles: —

"Now, the broad shield complete, the artist crowned
With his last hand, and poured the ocean round;
In living silver seemed the waves to roll,
And beat the buckler's verge, and bound the whole."

THE COMPROMISE MEASURES.

Speech delivered in the Senate of the United States, on the 17th of July, 1850, on the Bill reported by the Committee of Thirteen, commonly called "The Compromise Bill."

MR. PRESIDENT, — It was my purpose, on Tuesday of last week, to follow the honorable member from South Carolina,* who was addressing the Senate on the morning of that day, with what I then had, and now have, to say upon the subject of this bill. But before the honorable member had concluded his remarks, it was announced to us that the late chief magistrate of the United States was dangerously ill, and the Senate was moved to adjourn. The solemn event of the decease of the President took place that evening.

Sir, various and most interesting reflections present themselves to the minds of men, growing out of that occurrence. The chief magistrate of a great republic died suddenly. Recently elected to that office by the spontaneous voice of his fellow-countrymen, possessing in a high degree their con-

* Mr. Butler.

fidence and regard, ere yet he had had a fair opportunity to develop the principles of his civil administration, he fell by the stroke of death. Yet, Sir, mixed with the sad thoughts which this event suggests, and the melancholy feeling which spread over the whole country, the real lovers and admirers of our constitutional government, in the midst of their grief and affliction, found something consoling and gratifying. The executive head of a great nation had fallen suddenly; no disturbance arose; no shock was felt in the great and free republic. Credit, public and private, was in no way disturbed, and danger to the community or individuals was nowhere felt. The legislative authority was neither dissolved nor prorogued; nor was there any further interruption or delay in the exercise of the ordinary functions of every branch of the government, than such as was necessary for the indulgence, the proper indulgence, of the grief which afflicted Congress and the country. Sir, for his country General Taylor did not live long enough; but there were circumstances in his death so favorable for his own fame and character, so gratifying to all to whom he was most dear, that he may be said to have died fortunately.

"That life is long which answers life's great end."

A gallant soldier, able and experienced in his profession, he had achieved all that was to be expected by him in that line of duty. Placed at the head of the government, as I have said, by the free voice of the people, he died in the full possession of the gratitude of his country. He died in the midst of domestic affections and domestic happiness. He died in the consciousness of duty performed. He died here, in the midst of the councils of his country; which country, through us, its organs, has bestowed upon him those simple, but grand and imposing rites, which the republic confers on the most distinguished of her sons.

"Such honors Ilium to her hero paid,
And peaceful slept the mighty Hector's shade."

He has run the race destined for him by Providence, and he sleeps with the blessings of his countrymen.

Mr. President, I proceed now to say upon the subject before us what it was my purpose then to have said. I begin by remarking, that the longer we stay in the midst of this agitating subject, the longer the final disposition of it is postponed, the greater will be the intensity of that anxiety which possesses my breast. I wish, Sir, so far as I can, to harmonize opinions. I wish to facilitate some measure of conciliation. I wish to consummate some proposition or other, that shall bring opposing sentiments together, and give the country repose. It is not my purpose to-day to compare or contrast measures or plans which have been proposed. A measure was suggested by the President, in his message of 1848. The same measure, substantially, was again recommended by the late President, in his message of 1849. Then there is before us this proposition of the Committee of Thirteen. I do not regard these as opposite, conflicting, or, to use the language of the day, antagonistical propositions at all. To a certain extent, they all agree. Beyond what was proposed either by Mr. Polk or by the late President, this report of the committee, and the bill now before us, go another step. Their suggestions were, and especially that of the late President, to admit California, and for the present to stop there. The bill before the Senate proposes to admit California, but also to make a proper provision, if the Senate deem the provision proper, for the Territories of New Mexico and Utah. I confess, Sir, my judgment from the first has been, that it was indispensable that Congress should make some provision for these Territories; but I have been indifferent whether the things necessary to be done should be done in one bill or in separate bills, except that, as a matter of expediency, it was and has been my opinion, from the beginning, that it would have been better to have proceeded measure by measure. That was a matter of opinion upon the expediency of the course I was one of the Committee of Thirteen. Circumstances called me to my home during its deliberations; and the general opinion of the committee at that time seemed to be, and I thought the better opinion, in favor of beginning with

California, and then taking up the other measures in their order. Upon further consideration, the committee, very fairly, I doubt not, and in the exercise of their best judgment and discretion, thought fit to unite the three things which are in this bill. Well, Sir, whether singly or together, each and every one of these objects meets my approbation, and they are all, in my judgment, desirable.

In the first place, I think it is a desirable object to admit California. I do not conceal from myself, nor do I wish to conceal from others, that California is before us with some degree of irregularity stamped upon her proceedings. She has not been through the previous process of territorial existence. She has formed her constitution without our consent. But I consider, Sir, that California, from the extraordinary circumstances which have attended her birth and progress to the present moment, entitles herself, by the necessity of the case, to an exemption from the ordinary rules. Who expected to see such a great community spring up in such an incredibly short time? Who expected to see a hundred or a hundred and fifty thousand people engaged in such an employment, with so much activity, and enterprise, and commerce, drawing to themselves the admiration and regard of the whole world, in the period of a few months? Well, Sir, she comes to us with a constitution framed upon republican models, and conformable to the Constitution of the United States; and under these circumstances, still regarding her application as premature and irregular, I am for admitting her, as there has been nothing done which her admission on our part will not cure. She will be lawfully in the Union if we admit her, and therefore I have no hesitation upon that point.

I am sorry, Sir, very sorry, that my friend from Connecticut,* who has studied this case a great deal more than I have, not only as a member of this body, but while he was a member of the other house, and has demonstrated, beyond the power of any conscientious man's denial, that there can be no slavery in the Territory about which we are speaking,

* Mr. Smith.

that the South is mistaken in supposing it possible to derive any benefit from it, and that the North is mistaken in supposing that that which they desire to prohibit will ever need any prohibition there; I am sorry to see that my very able friend, having demonstrated the case, did not carry out his own demonstration. The expression of his purpose to vote against this bill followed one of the clearest and strongest demonstrations in its favor that I have heard from the mouth of man. What is the reason of his opposition? Why, the gentleman said he was instructed by the legislature of Connecticut to oppose it; and, on the whole, he did not feel it to be his duty to depart from those instructions.

It has become, Sir, an object of considerable importance in the history of this government, to inquire how far instructions, given *ex parte* and under one state of circumstances, are to govern those who are to act under another state of circumstances, and not upon an *ex parte* hearing, but upon a hearing of the whole matter. The proposition, that a member of this government, in giving a vote to bind all the country, is to take as his instructions the will of a small part of the country, whether in his own State or out of it, is a proposition that is above or below all argument. Where men are sworn to act conscientiously for the good of the whole, according to their own best judgment and opinion, if the proposition is asserted that they are, nevertheless, bound to take the individual opinion of a few, and be exclusively bound by that opinion, there is no room for argument; every man's moral perception, without argument, decides on such a proposition. I know, Sir, that, in a popular government like ours, instructions of this sort will be given, and pledges required. It is in the nature of the case. Political men in this country love the people; they love popular applause and promotion, and they are willing to make promises; and, as in other sorts of love, so in this, when the blood burns, the soul prodigally lends the tongue vows. It is especially the case in some States, in which, in electioneering contests, instructions become little constitutions, which men vow to support. These instructions are often given

under circumstances very remote from those that exist when the duty comes to be performed; and, I am sorry to say, they are often given on collateral considerations. I will not say when or where, how remotely or how lately; but I am very much inclined to think that we should find, in the history of the country, cases in which instructions are ready to be given, or ready to be withheld, as the support of some little fragment of some sectional party may be, or may not be, obtained thereby.

Sir, it is curious enough to observe how differently this idea, that a member chosen into a public body, to act for the whole country, is bound, nevertheless, by the instructions of those who elected him, which has risen to a sort of rule in some of the American States, is received and treated elsewhere. According to our notions and habits of thinking, it is not only allowable for, but incumbent upon, a member of Congress, to follow the instructions given by his own particular constituents, although his vote affects the interest, the honor, the welfare, the renown, of twenty millions of people. As an instance, Sir, of the various views taken of this subject, as a question of morals, I may refer to what happened in the Chamber of Deputies of France some years ago, perhaps while the honorable member from Michigan * was residing in Paris, but more probably shortly after his return. A gentleman, who was a candidate for the Chamber of Deputies, promised his constituents that on a certain measure, expected to come before the Chamber, he would vote as they required. They required him to vote so and so, and he said he would do it. Well, Sir, he was chosen; and when he came to the Chamber to take the oath of office, he was told, Not so fast! Objection was made. The Chamber said he did not come there as a fair man; he did not come as an impartial man, to judge of the interests of the whole country upon the great questions that were to come before the Chamber. He was pledged and trammelled; he had given up his conscience and promised his vote, and therefore did not stand on an equality with other

* Mr. Cass.

members of that assembly who came unpledged and untrammelled, and bound to exercise their own best judgments. In short, they rejected him; and whoever wishes to see the most beautiful disquisition upon political morals, and the duty of those who represent the people, that I know of since the time of Mr. Burke's speech at Bristol, can be gratified by reading M. Guizot's speech on that occasion.

I have alluded to the argument of my friend from Connecticut, because it is the ablest argument on this subject that I have heard; and I have alluded to his intimated vote as illustrating what I consider the evil of instructing men, before a case arises, as to what shall be their conduct upon that case. The honorable member from Connecticut is as independent as any other man, and of course will not understand me to mean any thing personal in what I have said. I take his case merely as an illustration of the folly and absurdity of instructions. Why should a man of his strength of intellect, and while acting for the whole country, be controlled in his judgment by instructions given by others, with little knowledge of the circumstances, and no view of the whole case?

Mr. President, it has always seemed to me to be a grateful reflection, that, however short and transient may be the lives of individuals, states may be permanent. The great corporations that embrace the government of mankind, protect their liberties, and secure their happiness, may have something of perpetuity, and, as I might say, of earthly immortality. For my part, Sir, I gratify myself by contemplating what in the future will be the condition of that generous State, which has done me the honor to keep me in the counsels of the country for so many years. I see nothing about her in prospect less than that which encircles her now. I feel that when I, and all those that now hear me, shall have gone to our last home, and afterwards, when mould may have gathered upon our memories, as it will have done upon our tombs, that State, so early to take her part in the great contest of the Revolution, will stand, as she has stood and now stands, like that column which, near her Capitol, perpetuates the memory of the first great battle

of the Revolution, firm, erect, and immovable. I believe, Sir, that, if commotion shall shake the country, there will be one rock for ever, as solid as the granite of her hills, for the Union to repose upon. I believe that if disasters arise, bringing clouds which shall obscure the ensign now over her and over us, there will be one star that will but burn the brighter amid the darkness of that night; and I believe that, if in the remotest ages (I trust they will be infinitely remote) an occasion shall occur when the sternest duties of patriotism are demanded and to be performed, Massachusetts will imitate her own example; and that, as at the breaking out of the Revolution she was the first to offer the outpouring of her blood and her treasure in the struggle for liberty, so she will be hereafter ready, when the emergency arises, to repeat and renew that offer, with a thousand times as many warm hearts, and a thousand times as many strong hands.

And now, Mr. President, to return at last to the principal and important question before us, What are we to do? How are we to bring this emergent and pressing question to an issue and an end? Here have we been seven and a half months, disputing about points which, in my judgment, are of no practical importance to one or the other part of the country. Are we to dwell for ever upon a single topic, a single idea? Are we to forget all the purposes for which governments are instituted, and continue everlastingly to dispute about that which is of no essential consequence? I think, Sir, the country calls upon us loudly and imperatively to settle this question. I think that the whole world is looking to see whether this great popular government can get through such a crisis. We are the observed of all observers. It is not to be disputed or doubted, that the eyes of all Christendom are upon us. We have stood through many trials. Can we not stand through this, which takes so much the character of a sectional controversy? Can we stand that? There is no inquiring man in all Europe who does not ask himself that question every day, when he reads the intelligence of the morning. Can this country, with one set of interests at the South, and another set of interests at the North, and these interests supposed,

but falsely supposed, to be at variance; can this people see what is so evident to the whole world beside, that this Union is their main hope and greatest benefit, and that their interests in every part are entirely compatible? Can they see, and will they feel, that their prosperity, their respectability among the nations of the earth, and their happiness at home, depend upon the maintenance of their Union and their Constitution? That is the question. I agree that local divisions are apt to warp the understandings of men, and to excite a belligerent feeling between section and section. It is natural, in times of irritation, for one part of the country to say, If you do that, I will do this, and so get up a feeling of hostility and defiance. Then comes belligerent legislation, and then an appeal to arms. The question is, whether we have the true patriotism, the Americanism, necessary to carry us through such a trial. The whole world is looking towards us with extreme anxiety. For myself, I propose, Sir, to abide by the principles and the purposes which I have avowed. I shall stand by the Union, and by all who stand by it. I shall do justice to the whole country, according to the best of my ability, in all I say, and act for the good of the whole country in all I do. I mean to stand upon the Constitution. I need no other platform. I shall know but one country. The ends I aim at shall be my country's, my God's, and Truth's. I was born an American; I will live an American; I shall die an American; and I intend to perform the duties incumbent upon me in that character to the end of my career. I mean to do this, with absolute disregard of personal consequences. What are personal consequences? What is the individual man, with all the good or evil that may betide him, in comparison with the good or evil which may befall a great country in a crisis like this, and in the midst of great transactions which concern that country's fate? Let the consequences be what they will, I am careless. No man can suffer too much, and no man can fall too soon, if he suffer or if he fall in defence of the liberties and Constitution of his country.

PILGRIM FESTIVAL AT NEW YORK IN 1850.

Speech delivered before the New England Society of New York on Occasion of the Pilgrim Festival for 1850.

After the customary toasts on this occasion had been given, the President of the day, Mr. Grinnell, asked attention to a toast which, as he said, was not on the list, but which he thought every one would vote ought to be placed there forthwith. He gave "The Constitution and the Union, and their Chief Defender." This sentiment was received with great applause; and when Mr. Webster rose to respond to it, he was greeted with the most prolonged and tumultuous cheers. When the applause had subsided, he spoke as follows: —

Mr. President, and Gentlemen of the New England Society of New York: — Ye sons of New England! Ye brethren of the kindred tie! I have come hither to-night, not without some inconvenience, that I might behold a congregation whose faces bear lineaments of a New England origin, and whose hearts beat with full New England pulsations. I willingly make the sacrifice. I am here to attend this meeting of the Pilgrim Society of New York, the great offshoot of the Pilgrim Society of Massachusetts. (And, Gentlemen, I shall begin what I have to say, which is but little, by tendering to you my thanks for the invitation extended to me, and by wishing you, one and all, every kind of happiness and prosperity.)

Gentlemen, this has been a stormy, cold, boisterous, and inclement day. The winds have been harsh, the skies have been severe; and if we had been exposed to their rigor; if we had no shelter against this howling and freezing tempest; if we were wan and worn out; if half of us were sick and tired, and ready to descend into the grave; if we were on the bleak coast of Plymouth, houseless, homeless, with nothing over our heads but the heavens, and that God who sits above the heavens; if we had distressed wives on our arms, and hungry and shivering children clinging to our skirts, we should see something, and feel something, of that scene, which, in the providence of God, was enacted at Plymouth on the 22d of December, 1620.

Thanks to Almighty God, who, from that distressed early condition of our fathers, has raised us to a height of pros-

perity and of happiness which they neither enjoyed, nor could have anticipated! We have learned much of them; they could have foreseen little of us. Would to God my friends, that, when we carry our affections and our recollections back to that period, we could arm ourselves with something of the stern virtues which supported them in that hour of peril, and exposure, and suffering! Would to God that we possessed that unconquerable resolution, stronger than bars of brass or iron, which strengthened their hearts; that patience, "sovereign o'er transmuted ill," and, above all, that faith, that religious faith, which, with eyes fast fixed upon heaven, tramples all things earthly beneath her triumphant feet!

Gentlemen, the scenes of this world change. What our ancestors saw and felt, we shall not see nor feel. What they achieved, it is denied to us even to attempt. The severer duties of life, requiring the exercise of the stern and unbending virtues, were theirs. They were called upon for the exhibition of those austere qualities, which, before they came to the Western wilderness, had made them what they were. Things have changed. In the progress of society, the fashions and the habits of life, with all its conditions, have changed. Their rigid sentiments, and their tenets, apparently harsh and exclusive, we are not called on, in every respect, to imitate or commend; or rather to imitate, for we should commend them always, when we consider the state of society in which they had been adopted, and in which they seemed necessary. Our fathers had that religious sentiment, that trust in Providence, that determination to do right, and to seek, through every degree of toil and suffering, the honor of God, and the preservation of their liberties, which we shall do well to cherish, to imitate, and to equal, to the utmost of our ability. It may be true, and it is true, that in the progress of society the milder virtues have come to belong more especially to our day and our condition. The Pilgrims had been great sufferers from intolerance; it was not unnatural that their own faith and practice, as a consequence, should become somewhat intolerant. This is the common infirmity of human nature. Man retaliates on

man. It is to be hoped, however, that the greater spread of the benignant principles of religion, of the divine charity of Christianity, has, to some extent, improved the sentiments which prevailed in the world at that time. No doubt the "first comers," as they were called, were attached to their own forms of public worship, and to their own particular and strongly-cherished religious opinions. No doubt they esteemed those sentiments, and the observances which they practised, to be absolutely binding on all, by the authority of the word of God. It is true, I think, in the general advancement of human intelligence, that we find, what they do not seem to have found, that a greater toleration of religious opinion, a more friendly feeling towards all who profess reverence for God and obedience to his commands, is not inconsistent with the great and fundamental principles of religion; I might rather say, is itself one of those fundamental principles. So we see in our day, I think, without any departure from the essential principles of our fathers, a more enlarged and comprehensive Christian philanthrophy. It seems to be the American destiny, the mission which has been intrusted to us here on this shore of the Atlantic, the great conception and the great duty to which we are born, to show that all sects, and all denominations, professing reverence for the authority of the Author of our being, and belief in his revelations, may be safely tolerated without prejudice either to our religion or to our liberties.

We are Protestants, generally speaking; but you all know that there presides at the head of the supreme judicature of the United States a Roman Catholic; and no man, I suppose, through the whole United States, imagines that the judicature of the country is less safe, that the administration of public justice is less respectable or less secure, because the Chief Justice of the United States has been, and is, a firm adherent of that religion. And so it is in every department of society amongst us. In both houses of Congress, in all public offices, and all public affairs, we proceed on the idea that a man's religious belief is a matter above human law; that it is a question to be settled between him and his Maker, because he is responsible to none but his Maker for

adopting or rejecting revealed truth. And here is the great distinction which is sometimes overlooked, and which I am afraid is now too often overlooked, in this land, the glorious inheritance of the sons of the Pilgrims. Men, for their religious sentiments, are accountable to God, and to God only. Religion is both a communication and a tie between man and his Maker; and to his own master every man standeth or falleth. But when men come together in society, establish social relations, and form governments for the protection of the rights of all, then it is indispensable that this right of private judgment should in some measure be relinquished and made subservient to the judgment of the whole. Religion may exist while every man is left responsible only to God. Society, civil rule, the civil state, cannot exist, while every man is responsible to nobody and to nothing but to his own opinion. And our New England ancestors understood all this quite well. Gentlemen, there is the "Constitution" which was adopted on board the Mayflower in November, 1620, while that bark of immortal memory was riding at anchor in the harbor of Cape Cod. What is it? Its authors honored God; they professed to obey all his commandments, and to live ever and in all things in his obedience. But they say, nevertheless, that for the establishment of a civil polity, and for the greater security and preservation of their civil rights and liberties, they agree that the laws and ordinances, acts and constitutions, (and I am glad they put in the word "*constitutions*,") — they say that these laws and ordinances, acts and *constitutions*, which may be established by those whom they shall appoint to enact them, they, in all due submission and obedience, will support.

This constitution is not long. I will read it. It invokes a *religious* sanction and the authority of God on their *civil* obligations; for it was no doctrine of theirs that civil obedience is a mere matter of expediency. Here it is: —

"In the name of God, Amen: We, whose names are underwritten, the loyal subjects of our dread sovereign lord, King James, by the grace of God, of Great Britain, France, and Ireland, king, defender of the Faith, &c., having undertaken, for the glory of God, and advancement

of the Christian faith, and honor of our king and country, a voyage to plant the first colony in the northern parts of Virginia, do by these presents solemnly and mutually, in the presence of God and of one another, covenant and combine ourselves together into a civil body politic, for our better ordering and preservation, and furtherance of the ends aforesaid, and by virtue hereof to enact, constitute, and frame such just and equal laws and ordinances, acts, constitutions, and offices, from time to time, as shall be thought most meet and convenient for the general good of the colony; unto which we promise all due submission and obedience."

The right of private judgment in matters between the Creator and the individual, and submission and obedience to the will of the whole, in all that respects civil polity, and the administration of such affairs as concerned the colony about to be established, they regarded as entirely consistent; and the common sense of mankind, lettered and unlettered, every where establishes and confirms this sentiment. Indeed, all must see that it is the very ligament, the very tie, which connects man to man, in the social system; and these sentiments are imbodied in that constitution. Discourse on this topic might be enlarged, but I pass from it.

Gentlemen, we are now two hundred and thirty years from that great event. There is the Mayflower.* There is an imitation on a small scale, but a correct one, of the Mayflower. Sons of New England! there was in ancient times a ship that carried Jason to the acquisition of the Golden Fleece. There was a flag ship at the battle of Actium which made Augustus Cæsar master of the world. In modern times, there have been flag ships which have carried Hawke, and Howe, and Nelson of the other continent, and Hull, and Decatur, and Stewart of this, to triumph. What are they all, in the chance of remembrance among men, to that little bark, the Mayflower, which reached these shores on the 22d day of December, 1620? Yes, brethren of New England, yes! that Mayflower was a flower destined to be of perpetual bloom! Its verdure will stand the sultry blasts of summer, and the chilling winds of autumn. It will defy

* Pointing to a small figure of a ship, in confectionary, representing the Mayflower, that stood before him.

winter; it will defy all climate, and all time, and will continue to spread its petals to the world, and to exhale an ever-living odor and fragrance, to the last syllable of recorded time.

Gentlemen, brethren of New England! whom I have come some hundreds of miles to meet this night, let me present to you one of the most distinguished of those personages who came hither on the deck of the Mayflower. Let me fancy that I now see Elder William Brewster entering the door at the farther end of this hall; a tall and erect figure, of plain dress, of no elegance of manner beyond a respectful bow, mild and cheerful, but of no merriment that reaches beyond a smile. Let me suppose that his image stood now before us, or that it was looking in upon this assembly.

"Are ye," he would say, with a voice of exultation, and yet softened with melancholy, "are ye our children? Does this scene of refinement, of elegance, of riches, of luxury, does all this come from our labors? Is this magnificent city, the like of which we never saw nor heard of on either continent, is this but an offshoot from Plymouth rock? Is this one part of the great reward for which my brethren and myself endured lives of toil and of hardship? We had faith and hope. God granted us the spirit to look forward, and we did look forward. But this scene we never anticipated. Our hopes were on another life. Of earthly gratifications we tasted little; for human honors we had little expectation. Our bones lie on the hill in Plymouth churchyard, obscure, unmarked, *secreted*, to preserve our graves from the knowledge of savage foes. No stone tells where we lie. And yet, let me say to you who are our descendants, who possess this glorious country and all it contains, who enjoy this hour of prosperity and the thousand blessings showered upon it by the God of your fathers, we envy you not, we reproach you not. Be rich, be prosperous, be enlightened. Live in pleasure, if such be your allotment on earth; but live, also, always to God and to duty. Spread yourselves and your children over the continent; accomplish the whole of your great destiny, and if it be that

through the whole you carry Puritan hearts with you, if you still cherish an undying love of civil and religious liberty, and mean to enjoy them yourselves, and are willing to shed your heart's blood to transmit them to your posterity, then will you be worthy descendants of Carver, and Allerton, and Bradford, and the rest of those who landed from stormy seas on the rock of Plymouth."

Gentlemen, that little vessel, on the 22d of December, 1620, made her safe landing on the shore of Plymouth She had been tossed on a tempestuous ocean; she approached the New England coast under circumstances of great distress and trouble; yet, amidst all the disasters of her voyage, she accomplished her end, and she bore a hundred precious pilgrims to the shore of the New World.

Gentlemen, let her be considered this night as an emblem of New England, the New England which now is. New England is a ship, staunch, strong, well built, and particularly well manned. She may be occasionally thrown into the trough of the sea by the violence of winds and waves, and may *wallow* there for a time; but, depend upon it, she will right herself. She will ere long *come round to the wind, and obey her helm.*

We have hardly begun, my brethren, to realize the vast importance to human society, and to the history and happiness of the world, of the voyage of that little vessel which brought hither the love of civil and religious liberty, and the reverence of the Bible, for the instruction of the future generations of men. We have hardly begun to realize the consequences of that voyage. Heretofore the extension of our race, following our New England ancestry, has crept along the shore. But now it has extended itself. It has crossed the continent. It has not only transcended the Alleghanies, but has capped the Rocky Mountains. It is now upon the shores of the Pacific; and on this day, or, if not on this day, then this day twelvemonth, descendants of New England will there celebrate the landing ——

(A VOICE. "To-day; they celebrate it to-day.")

God bless them! Here's to the health and success of the California Society of Pilgrims assembled on the shores

of the Pacific. And it shall yet go hard if the three hundred millions of people of China, provided they are intelligent enough to understand any thing, shall not one day hear and know something of the rock of Plymouth too.

But, gentlemen, I am trespassing too long on your time. I am taking too much of what belongs to others. My voice is neither a new voice, nor is it the voice of a young man. It has been heard before in this place; and the most that I have thought or felt concerning New England history and New England principles has been before, in the course of my life, said here or elsewhere.

Your sentiment, Mr. President, which called me up before this meeting, is of a larger and more comprehensive nature. It speaks of the Constitution under which we live; of the Union which has bound us together for sixty years, and made us the fellow-citizens of those who settled at Yorktown and the mouth of the Mississippi and their descendants, and now, at last, of those who have come from all corners of the earth and assembled in California. I confess I have had my doubts whether the republican system under which we live could be so vastly extended without danger of dissolution. Thus far, I willingly admit, my apprehensions have not been realized. The distance is immense; the intervening country is vast. But the principle on which our government is established, the representative system, seems to be indefinitely expansive; and wherever it does extend, it seems to create a strong attachment to the Union and the Constitution that protect it. I believe California and New Mexico have had new life inspired into all their people. They feel themselves partakers of a new being, a new creation, a new existence. They are not the men they thought themselves to be, now that they find they are members of this great government, and hailed as citizens of the United States of America. I hope, in the providence of God, as this system of States and representative governments shall extend, that it will be strengthened. In some respects, the tendency is to strengthen it. Local agitations will disturb it less. If there has been on the Atlantic coast, somewhere south of the Potomac,—and I will not

define further where it is,—if there has been dissatisfaction, that dissatisfaction has not been felt in California; it has not been felt that side of the Rocky Mountains. It is a *localism*, and I am one of those who believe that our system of government is not to be destroyed by *localisms*, North or South. No; we have our private opinions, State prejudices, local ideas; but over all, submerging all, *drowning* all, is that great sentiment, that always, and nevertheless, *we are all Americans.* It is as Americans that we are known, the whole world over. Who asks what State you are from, in Europe, or in Africa, or in Asia? Is he an American? Does he belong to the United States? Does that flag protect him? Does he rest under the eagle and the stars and stripes? If he does, all else is subordinate and of but little concern.

Now it is our duty, while we live on the earth, to cherish this sentiment; to make it prevail over the whole country, even if that country should spread over the whole continent. It is our duty to carry English principles, I mean, Sir, [turning to Sir Henry Bulwer,] Anglo-Saxon *American* principles, over the whole continent; the great principles of Magna Charta, of the English Revolution, and especially of the American Revolution, and of the English language. Our children will hear Shakspeare and Milton recited on the shores of the Pacific. Nay, before that, American ideas, which are essentially and originally English ideas, will penetrate the Mexican, the Spanish mind; and Mexicans and Spaniards will thank God that they have been brought to know something of civil liberty, of the trial by jury, and of security for personal rights.

As for the rest, let us take courage. The dayspring from on high has visited us; the country has been called back to conscience and to duty. *There is no longer imminent danger of dissolution in these United States.* We shall live, and not die. We shall live as United Americans; and those who have supposed they could sever us, that they could rend one American heart from another, and that speculation and hypothesis, that secession and metaphysics, could tear us asunder, will find themselves wofully mistaken.

Let the mind of the sober American people remain sober. Let it not inflame itself. Let it do justice to all. And the truest course, and the surest course, to disappoint those who meditate disunion, is just to leave them to themselves, and see what they can make of it. No, Gentlemen; the time for meditated secession is past. Americans, North and South, will be hereafter more and more united. There is a sternness and severity in the public mind lately aroused. I believe that, North and South, there has been, in the last year, a renovation of public sentiment, an animated revival of the spirit of union, and, more than all, of attachment to the Constitution, regarding it as indispensably necessary; and if we would preserve our nationality, it is indispensable that this spirit of devotion should be still more largely increased. And who doubts it? If we give up that Constitution, what are we? You are a Manhattan man; I am a Boston man. Another is a Connecticut, and another a Rhode Island man. Is it not a great deal better, standing hand to hand, and clasping hands, that we should remain as we have been for sixty years, citizens of the same country, members of the same government, united all, united now, and united for ever? *That we shall be, Gentlemen.* There have been difficulties, contentions, controversies, angry controversies; but I tell you that, in my judgment, —

> "those opposed eyes,
> Which, like the meteors of a troubled heaven,
> All of one nature, of one substance bred,
> Did lately meet in th' intestine shock,
> Shall now, in mutual, well-beseeming ranks,
> MARCH ALL ONE WAY."

RECEPTION AT BUFFALO, N. Y.

Speech delivered before a large Assembly of the Citizens of Buffalo and the County of Erie, at a Public Reception on the 22d of May, 1851.

FELLOW-CITIZENS OF THE CITY OF BUFFALO, — I am very glad to see you; I meet you with pleasure. It is not the first time that I have been in Buffalo, and I have always come to it with gratification. It is at a great distance from

my own home. I am thankful that circumstances have enabled me to be here again, and I regret that untoward events deprived me of the pleasure of being with you when your distinguished fellow-citizen, the President of the United States, visited you, and received from you, as he deserved, not only a respectful, but a cordial and enthusiastic welcome.

Gentlemen, it has been suggested to me that it would be agreeable to the citizens of Buffalo, and their neighbors in the county of Erie, that I should state to you my opinions, whatever may be their value, on the present condition of the country, its prospects, its hopes, and its dangers; and, fellow-citizens, I intend to do that, this day, and this hour, as far as my strength will permit.

Gentlemen, there is but one question in this country now; or, if there be others, they are but secondary, or so subordinate that they are all absorbed in that great and leading question; and that is neither more nor less than this: Can we preserve the union of the States, not by coercion, not by military power, not by angry controversies; but can we of this generation, you and I, your friends and my friends, — can we so preserve the union of these States, by such administration of the powers of the Constitution as shall give content and satisfaction to all who live under it, and draw us together, not by military power, but by the silken cords of mutual, fraternal, patriotic affection? That is the question, and no other. Gentlemen, I believe in party distinctions. I am a party man. There are questions belonging to party in which I take an interest, and there are opinions entertained by other parties which I repudiate; but what of all that? If a house be divided against itself, it will fall, and crush every body in it. We must see that we maintain the government which is over us. We must see that we uphold the Constitution, and we must do so without regard to party.

The question, fellow-citizens, (and I put it to you now as the real question,) the question is, whether you and the rest of the people of the great State of New York, and of all the States, will so adhere to the Constitution, will so enact and maintain laws to preserve that instrument, that you will not only remain in the Union yourselves, but permit your

brethren to remain in it, and help to perpetuate it? That is the question. Will you concur in measures necessary to maintain the Union, or will you oppose such measures? That is the whole point of the case.

There are thirty or forty members of Congress from New York; you have your proportion in the United States Senate. We have many members of Congress from New England. Will they maintain the laws that are passed for the administration of the Constitution, and respect the rights of the South, so that the Union may be held together; and not only so that we may not go out of it ourselves, which we are not inclined to do, but so that, by maintaining the rights of others, they may also remain in the Union? Now, Gentlemen, permit me to say, that I speak of no concessions. If the South wish any concession from me, they will not get it; not a hair's breadth of it. If they come to my house for it, they will not find it, and the door will be shut; I concede nothing. But I say that I will maintain for them, as I will maintain for you, to the utmost of my power, and in the face of all danger, their rights under the Constitution, and your rights under the Constitution. And I shall never be found to falter in one or the other. It is obvious to every one, and we all know it, that the origin of the great disturbance which agitates the country is the existence of slavery in some of the States; but we must meet the subject; we must consider it; we must deal with it earnestly, honestly, and justly. From the mouth of the St. John to the confines of Florida, there existed, in 1775, thirteen colonies of English origin, planted at different times, and coming from different parts of England, bringing with them various habits, and establishing, each for itself, institutions entirely different from the institutions which they left, and in many cases from each other. But they were all of English origin. The English language was theirs, Shakspeare and Milton were theirs, the common law of England was theirs, and the Christian religion was theirs; and these things held them together by the force of a common character. The aggressions of the parent state compelled them to assert their independence. They declared independence, and that immor-

tal act, pronounced on the 4th of July, 1776, made them independent.

That was an act of union by the United States in Congress assembled. But this act of itself did nothing to establish over them a general government. They had a Congress. They had Articles of Confederation to prosecute the war. But thus far they were still, essentially, separate and independent each of the other. They had entered into a simple confederacy, and nothing more. No State was bound by what it did not itself agree to, or what was done according to the provisions of the confederation. That was the state of things, Gentlemen, at that time. The war went on; victory crowned the American arms; our independence was acknowledged. The States were then united together under a confederacy of very limited powers. It could levy no taxes. It could not enforce its own decrees. It was a confederacy, instead of a united government. Experience showed that this was insufficient and inefficient. Accordingly, beginning as far back almost as the close of the war, measures were taken for the formation of a united government, a government in the strict sense of the term, a government that could pass laws binding on the individual citizens of all the States, and which could enforce those laws by its executive powers, having them interpreted by a judicial power belonging to the government itself, and yet a government strictly limited in its nature. Well, Gentlemen, this led to the formation of the Constitution of the United States, and that instrument was framed on the idea of a limited government. It proposed to leave, and did leave, the different domestic institutions of the several States to themselves. It did not propose consolidation. It did not propose that the laws of Virginia should be the laws of New York, or that the laws of New York should be the laws of Massachusetts. It proposed only that, for certain purposes and to a certain extent, there should be a united government, and that that government should have the power of executing its own laws. All the rest was left to the several States.

We now come, Gentlemen, to the very point of the case.

At that time slavery existed in the Southern States, entailed upon them in the time of the supremacy of British laws over us. There it was. It was obnoxious to the Middle and Eastern States, and honestly and seriously disliked, as the records of the country will show, by the Southern States themselves. Now, how was it to be dealt with? Were the Northern and Middle States to exclude from the government those States of the South which had produced a Washington, a Laurens, and other distinguished patriots, who had so truly served, and so greatly honored, the whole country? Were they to be excluded from the new government because they tolerated the institution of slavery? Your fathers and my fathers did not think so. They did not see that it would be of the least advantage, to the slaves of the Southern States, to cut off the South from all connection with the North. Their views of humanity led to no such result; and of course, when the Constitution was framed and established, and adopted by you, here in New York, and by New England, it contained an express provision of security to the persons who lived in the Southern States, in regard to fugitives who owed them service; that is to say, it was stipulated that the fugitive from service or labor should be restored to his master or owner if he escaped into a free State. Well, that had been the history of the country from its first settlement. It was a matter of common practice to return fugitives before the Constitution was formed. Fugitive slaves from Virginia to Massachusetts were restored by the people of Massachusetts. At that day there was a great system of apprenticeship at the North, and many apprentices at the North, taking advantage of circumstances, and of vessels sailing to the South, thereby escaped; and they were restored on proper claim and proof. That led to a clear, express, and well-defined provision in the Constitution of the country on the subject. Now I am aware that all these things are well known; that they have been stated a thousand times; but in these days of perpetual discontent and misrepresentation, to state things a thousand times is not enough; for there are persons whose consciences, it would

seem, lead them to consider it their duty to deny, misrepresent, falsify, and cover up truths.

Now these are words of the Constitution, fellow-citizens, which I have taken the pains to transcribe therefrom, so that he who runs may read: —

"No PERSON HELD TO SERVICE OR LABOR IN ONE STATE, UNDER THE LAWS THEREOF, ESCAPING INTO ANOTHER, SHALL, IN CONSEQUENCE OF ANY LAW OR REGULATION THEREIN, BE DISCHARGED FROM SUCH SERVICE OR LABOR, BUT SHALL BE DELIVERED UP ON CLAIM OF THE PARTY TO WHOM SUCH SERVICE OR LABOR MAY BE DUE."

Is there any mistake about that? Is there any forty-shilling attorney here to make a question of it? No. I will not disgrace my profession by supposing such a thing. There is not, in or out of an attorney's office in the county of Erie, or elsewhere, one who could raise a doubt, or a particle of a doubt, about the meaning of this provision of the Constitution. He may act as witnesses do, sometimes, on the stand. He may wriggle, and twist, and say he cannot tell, or cannot remember. I have seen many such efforts in my time, on the part of witnesses, to falsify and deny the truth. But there is no man who can read these words of the Constitution of the United States, and say they are not clear and imperative. "No person," the Constitution says, "held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due." Why, you may be told by forty conventions in Massachusetts, in Ohio, in New York, or elsewhere, that, if a colored man comes here, he comes as a freeman; that is a *non sequitur*. It is not so. If he comes as a fugitive from labor, the Constitution says he is not a freeman, and that he shall be delivered up to those who are entitled to his service.

Gentlemen, that is the Constitution of the United States. Do we, or do we not, mean to conform to it, and to execute

that part of the Constitution as well as the rest of it? I believe there are before me here members of Congress. I suppose there may be here members of the State legislature, or executive officers under the State government. I suppose there may be judicial magistrates of New York, executive officers, assessors, supervisors, justices of the peace, and constables before me. Allow me to say, Gentlemen, that there is not, that there cannot be, any one of these officers in this assemblage, or elsewhere, who has not, according to the form of the usual obligation, bound himself by a solemn oath to support the Constitution. They have taken their oaths on the Holy Evangelists of Almighty God, or by uplifted hand, as the case may be, or by a solemn affirmation, as is the practice in some cases; but among all of them, there is not a man who holds, nor is there any man who can hold, any office in the gift of the United States, or of this State, or of any other State, who does not bind himself, by the solemn obligation of an oath, to support the Constitution of the United States. Well, is he to tamper with that? Is he to palter? Gentlemen, our political duties are as much matters of conscience as any other duties; our sacred domestic ties, our most endearing social relations, are no more the subjects for conscientious consideration and conscientious discharge, than the duties we enter upon under the Constitution of the United States. The bonds of political brotherhood, which hold us together from Maine to Georgia, rest upon the same principles of obligation as those of domestic and social life.

Then there was the other matter, and that was the Fugitive Slave Law. Let me say a word about that. Under the provisions of the Constitution, during Washington's administration, in the year 1793, there was passed, by general consent, a law for the restoration of fugitive slaves. Hardly any one opposed it at that period; it was thought to be necessary, in order to carry the Constitution into effect; the great men of New England and New York all concurred in it. It passed, and answered all the purposes expected from it, till about the year 1841 or 1842, when the States interfered to make enactments in opposition to it. The act of

Congress said that State magistrates might execute the duties of the law. Some of the States passed enactments imposing a penalty on any State officers who exercised authority under the law, or assisted in its execution; others denied the use of their jails to carry the law into effect; and, in general, at the commencement of the year 1850, it had become absolutely indispensable that Congress should pass some law for the execution of this provision of the Constitution, or else give up that provision entirely. That was the question. I was in Congress when it was brought forward. I was for a proper law. I had, indeed, proposed a different law; I was of opinion that a summary trial by a jury might be had, which would satisfy the people of the North, and produce no harm to those who claimed the service of fugitives; but I left the Senate, and went to another station, before any law was passed. The law of 1850 passed. Now I undertake, as a lawyer, and on my professional character, to say to you, and to all, that the law of 1850 is decidedly more favorable to the fugitive than General Washington's law of 1793; and I will tell you why. In the first place, the present law places the power in much higher hands; in the hands of independent judges of the Supreme and Circuit Courts, and District Courts, and of commissioners who are appointed to office for their legal learning. Every fugitive is brought before a tribunal of high character, of eminent ability, of respectable station. In the second place, when a claimant comes from Virginia to New York, to say that one A or one B has run away, or is a fugitive from service or labor, he brings with him a record of the court of the county from which he comes, and that record must be sworn to before a magistrate, and certified by the county clerk, and bear an official seal. The affidavit must state that A or B had departed under such and such circumstances, and had gone to another State; and that record under seal is, by the Constitution of the United States, entitled to full credit in every State. Well, the claimant or his agent comes here, and he presents to you the seal of the court in Virginia, affixed to a record of his declaration, that A or B had escaped from service. He

must then prove that the fugitive is here. He brings a witness; he is asked if this is the man, and he proves it; or, in nine cases out of ten, the fact would be admitted by the fugitive himself.

Such is the present law; and, much opposed and maligned as it is, it is more favorable to the fugitive slave than the law enacted during Washington's administration, in 1793, which was sanctioned by the North as well as by the South. The present violent opposition has sprung up in modern times. From whom does this clamor come? Why, look at the proceedings of the anti-slavery conventions; look at their resolutions. Do you find among those persons who oppose this Fugitive Slave Law any admission whatever, that any law ought to be passed to carry into effect the solemn stipulations of the Constitution? Tell me any such case; tell me if any resolution was adopted by the convention at Syracuse favorable to the carrying out of the Constitution. Not one! The fact is, Gentlemen, they oppose the constitutional provision; they oppose the whole! Not a man of them admits that there ought to be any law on the subject. They deny, altogether, that the provisions of the Constitution ought to be carried into effect. Look at the proceedings of the anti-slavery conventions in Ohio, Massachusetts, and at Syracuse, in the State of New York. What do they say? "That, so help them God, no colored man shall be sent from the State of New York back to his master in Virginia!" Do not they say that? And, to the fulfilment of that they "pledge their lives, their fortunes, and their sacred honor." Their sacred honor! They pledge their sacred honor to violate the Constitution; they pledge their sacred honor to commit treason against the laws of their country!

I have already stated, Gentlemen, what your observation of these things must have taught you. I will only recur to the subject for a moment, for the purpose of persuading you, as public men and private men, as good men and patriotic men, that you ought, to the extent of your ability and influence, to see to it that such laws are established and maintained as shall keep you, and the South, and the West,

and all the country, together, on the terms of the Constitution. I say, that what is demanded of us is to fulfil our constitutional duties, and to do for the South what the South has a right to demand.

Gentlemen, I have been some time before the public. My character is known, my life is before the country. I profess to love liberty as much as any man living; but I profess to love American liberty, that liberty which is secured to the country by the government under which we live; and I have no great opinion of that other and higher liberty which disregards the restraints of law and of the Constitution. I hold the Constitution of the United States to be the bulwark, the only bulwark, of our liberties and of our national character. I do not mean that you should become slaves under the Constitution. That is not American liberty. That is not the liberty of the Union for which our fathers fought, that liberty which has given us a right to be known and respected all over the world. I mean only to say, that I am for constitutional liberty. It is enough for me to be as free as the Constitution of the country makes me.

Now, Gentlemen, let me say, that, as much as I respect the character of the people of Western New York, as much as I wish to retain their good opinion, if I should ever hereafter be placed in any situation in public life, let me tell you now that you must not expect from me the slightest variation, even of a hair's breadth, from the Constitution of the United States. I am a Northern man. I was born at the North, educated at the North, have lived all my days at the North. I know five hundred Northern men to one Southern man. My sympathies, all my sympathies, my love of liberty for all mankind, of every color, are the same as yours. My affections and hopes in that respect are exactly like yours. I wish to see all men free, all men happy. I have few personal associations out of the Northern States. My people are your people. And yet I am told sometimes that I am not a friend of liberty, because I am not a Free Soil man. What am I? What was I ever? What shall I be hereafter, if I could sacrifice, for any consideration,

that love of American liberty which has glowed in my breast since my infancy, and which, I hope, will never leave me till I expire?

Gentlemen, I regret that slavery exists in the Southern States; but it is clear and certain that Congress has no power over it. It may be, however, that, in the dispensations of Providence, some remedy for this evil may occur, or may be hoped for hereafter. But, in the mean time, I hold to the Constitution of the United States, and you need never expect from me, under any circumstances, that I shall falter from it; that I shall be otherwise than frank and decisive. I would not part with my character as a man of firmness and decision, and honor and principle, for all that the world possesses. You will find me true to the North, because all my sympathies are with the North. My affections, my children, my hopes, my every thing, are with the North. But when I stand up before my country, as one appointed to administer the Constitution of the country, by the blessing of God I will be just.

Gentlemen, I expect to be libelled and abused. Yes, libelled and abused. But it does not disturb me. I have not lost a night's rest for a great many years from any such cause. I have some talent for sleeping. And why should I not expect to be libelled? Is not the Constitution of the United States libelled and abused? Do not some people call it a covenant with hell? Is not Washington libelled and abused? Is he not called a bloodhound on the track of the African negro? Are not our fathers libelled and abused by their own children? And ungrateful children they are. How, then, shall I escape? I do not expect to escape; but, knowing these things, I impute no bad motive to any men of character and fair standing. The great settlement measures of the last Congress are laws. Many respectable men, representatives from your own State and from other States, did not concur in them. I do not impute any bad motive to them. I am ready to believe they are Americans all. They may not have thought these laws necessary; or they may have thought that they would be enacted without their concurrence. Let all that pass away.

If they are now men who will stand by what is done, and stand up for their country, and say that, as these laws were passed by a majority of the whole country, we must stand by them and live by them, I will respect them all as friends.

Now, Gentlemen, allow me to ask of you, What do you think would have been the condition of the country, at this time, if these laws had not been passed by the last Congress? if the question of the Texas boundary had not been settled? if New Mexico and Utah had been left as desert-places, and no government had been provided for them? And if the other great object to which State laws had opposed so many obstacles, the restoration of fugitives, had not been provided for, I ask, what would have been the state of this country now? You men of Erie County, you men of New York, I conjure you to go home to-night and meditate on this subject. What would have been the state of this country, now, at this moment, if these laws had not been passed? I have given my opinion that we should have had a civil war. I refer it to you, therefore, for your consideration; meditate on it; do not be carried away by any abstract notions or metaphysical ideas; think practically on the great question, What would have been the condition of the United States at this moment, if we had not settled these agitating questions? I repeat, in my opinion, there would have been a civil war.

Gentlemen, in this state of things, I saw that something must be done. It was impossible to look with indifference on a danger of so formidable a character. I am a Massachusetts man, and I bore in mind what Massachusetts has ever been to the Constitution and the Union. I felt the importance of the duty which devolved upon one to whom she had so long confided the trust of representing her in either house of Congress. As I honored her, and respected her, I felt that I was serving her in my endeavors to promote the welfare of the whole country.

And now suppose, Gentlemen, that, on the occasion in question, I had taken a different course. If I may allude so particularly to an individual so insignificant as myself, suppose that, on the 7th of March, 1850, instead of making

a speech that would, so far as my power went, reconcile the country, I had joined in the general clamor of the Anti-slavery party. Suppose I had said, "I will have nothing to do with any accommodation; we will admit no compromise; we will let Texas invade New Mexico; we will leave New Mexico and Utah to take care of themselves; we will plant ourselves on the Wilmot Proviso, let the consequences be what they may." Now, Gentlemen, I do not mean to say that great consequences would have followed from such a course on my part; but suppose I had taken such a course. How could I be blamed for it? Was I not a Northern man? Did I not know Massachusetts feelings and prejudices? But what of that? I am an American. I was made a whole man, and I did not mean to make myself half a one. I felt that I had a duty to perform to my country, to my own reputation; for I flattered myself that a service of forty years had given me some character, on which I had a right to repose for my justification in the performance of a duty attended with some degree of local unpopularity. I thought it my duty to pursue this course, and I did not care what was to be the consequence. I felt it was my duty, in a very alarming crisis, to come out; to go for my country, and my whole country; and to exert any power I had to keep that country together. I cared for nothing, I was afraid of nothing, but I meant to do my duty. Duty performed makes a man happy; duty neglected makes a man unhappy. I therefore, in the face of all discouragements and all dangers, was ready to go forth and do what I thought my country, your country, demanded of me. And, Gentlemen, allow me to say here to-day, that if the fate of John Rogers had stared me in the face, if I had seen the stake, if I had heard the fagots already crackling, by the blessing of Almighty God I would have gone on and discharged the duty which I thought my country called upon me to perform. I would have become a martyr to save that country.

And now, Gentlemen, farewell. Live and be happy. Live like patriots, live like Americans. Live in the enjoyment of the inestimable blessings which your fathers pro-

pared for you; and if any thing that I may do hereafter should be inconsistent, in the slightest degree, with the opinions and principles which I have this day submitted to you, then discard me for ever from your recollection.

SPEECH TO THE YOUNG MEN OF ALBANY, N. Y.

Delivered on the 28th of May, 1851, at the Invitation of the Young Men of Albany, in the Public Square of the Capitol in that City.

FELLOW-CITIZENS, — I owe the honor of this occasion, and I esteem it an uncommon and extraordinary honor, to the young men of this city of Albany, and it is my first duty to express to these young men my grateful thanks for the respect they have manifested towards me. Nevertheless, young men of Albaby, I do not mistake you or your object, or your purpose. I am proud to take to myself whatever may properly belong to me, as a token of personal and political regard on your part. But I know, young men of Albany, it is not I, but the cause; it is not I, but your own generous attachments to your country; it is not I, but the Constitution of the Union, which has bound together your ancestors and mine, and all of us, for more than half a century, — it is this that has brought you here to-day, to testify your regard toward one who, to the best of his humble ability, has sustained that cause before the country. Go on, young men of Albany! Go on, young men of the United States! Early manhood is the chief prop and support, the great reliance and hope, for the preservation of public liberty and the institutions of the land. Early manhood is ingenuous, generous, just. It looks forward to a long life of honor or dishonor, and it means that it shall, by the blessing of God, be a life of honor, of usefulness, and success, in all the professions and pursuits of life, and that it shall close, when close it must, with some claim to the gratitude of the country. Go on, then; uphold the institutions under which you were born. You are manly and bold. You fear nothing but to do wrong; dread nothing but to be found recreant to your country.

Gentlemen, I certainly had no expectation of appearing before such an assemblage as this to-day. It is not probable that, for a long time to come, I may again address any large meeting of my fellow-citizens. If I should not, and if this should be the last, or among the last, of all the occasions on which I am to appear before any great number of the people of the country, I shall not regret that that appearance was here. I find myself in the political capital of the greatest, most commercial, most powerful State of the Union. I find myself here by the invitation of persons of the highest respectability, without distinction of party. I consider the occasion as somewhat august. I know that among those who now listen to me there are some of the wisest, the best, the most patriotic, and the most experienced public and private men in the State of New York. Here are governors and ex-governors, here are judges and ex-judges, of high character and high station; and here are persons from all the walks of professional and private life, distinguished for talent, and virtue, and eminence. Fellow-citizens, before such an assemblage, and on such an invitation, I feel bound to guard every opinion and every expression; to speak with precision such sentiments as I advance, and to be careful in all that I say, that I may not be misapprehended or misrepresented.

I am requested, fellow-citizens, by those who invited me, to express my sentiments on the state of public affairs in this country, and the interesting questions which are before us. This proves, Gentlemen, that in their opinion there are questions sometimes arising which range above all party, and all the influences and considerations and interests of party. It proves more; it proves that, in their judgment, this is a time in which public affairs rise in importance above the range of party, and draw to them an interest paramount to all party considerations. If this be not so, I am here without object, and you are listening to me for no purpose whatever.

Then, Gentlemen, what is the condition of public affairs which makes it necessary and proper for men to meet, and confer together on the state of the country? What are the

questions which are transcending, subduing, and overwhelming party, inciting honest, well-meaning persons to lay party aside, and to meet and confer for the general weal? I shall, of course, not enter at large into many of these questions, nor into any lengthened discussion of the state of public affairs, but shall endeavor in general to state what that condition is, what those questions are, and to pronounce a conscientious judgment of my own upon the whole.

The last Congress, fellow-citizens, passed laws called adjustment measures, or settlement measures; laws intended to put an end to certain internal and domestic controversies existing in the country, and some of which had existed for a long time. These laws were passed by the constitutional majorities of both houses of Congress. They received the constitutional approbation of the President. They are the laws of the land. To some or all of them, indeed to all of them, at the time of their passage, there existed warm and violent opposition. None of them passed without heated discussion. Government was established in each of the Territories of New Mexico and Utah, but not without opposition. The boundary of Texas was settled by compromise with that State, but not without determined and earnest resistance. These laws all passed, however, and, as they have now become, from the nature of the case, irrepealable, it is not necessary that I should detain you by discussing their merits or demerits. Nevertheless, Gentlemen, I desire, on this and all public occasions, in the clearest and most emphatic manner, to declare, that I hold some of these laws, and especially that which provided for the adjustment of the controversy with Texas, to have been essential to the preservation of the public peace.

I will not now argue that point, nor lay before you at length the circumstances which existed at that time; the peculiar situation of things in so many of the Southern States; the fact that many of those States had adopted measures for the separation of the Union; or the fact that Texas was preparing to assert her claims to territory which New Mexico thought was hers by right, and that hundreds

and thousands of men, tired of the ordinary pursuits of private life, were ready to rise and unite in any enterprise that might offer itself to them, even at the risk of a direct conflict with the authority of this government. I say, therefore, without going into the argument with any detail, that in March of 1850, when I found it my duty to address Congress on these important topics, it was my conscientious belief, and it still remains unshaken, that if the controversy with Texas could not be amicably adjusted, there must, in all probability, be civil war and bloodshed; and in the contemplation of such a prospect, although we took it for granted that no opposition could arise to the authority of the United States that would not be suppressed, it appeared of little consequence on which standard victory should perch. But what of that? I was not anxious about military consequences; I looked to the civil and political state of things, and their results, and I inquired what would be the condition of the country, if, in this state of agitation, if, in this vastly-extended, though not generally-pervading feeling at the South, war should break out and bloodshed should ensue in that quarter of the Union? That was enough for me to inquire into and consider; and if the chances had been but one in a thousand that civil war would be the result, I should still have felt that that one thousandth chance should be guarded against by any reasonable sacrifice, because, Gentlemen, sanguine as I am of the future prosperity of the country, strongly as I believe now, after what has passed, and especially after the enactment of those measures to which I have referred, that it is likely to hold together, I yet believe firmly that this Union, once broken, is utterly incapable, according to all human experience, of being reconstructed in its original character, of being recemented by any chemistry, or art, or effort, or skill of man.

Now, then, Gentlemen, let us pass from those measures which are now accomplished and settled. California is in the Union, and cannot be got out; the Texas boundary is settled, and cannot be disturbed; Utah and New Mexico are Territories, under provision of law, according to accus-

tomed usage in former cases; and these things may be regarded as finally adjusted. But then there was another subject, equally agitating and equally irritating, which, in its nature, must always be subject to reconsideration or proposed amendment, and that is, the Fugitive Slave Law of 1850, passed at the same session of Congress.

Allow me to advert, very shortly, to what I consider the ground of that law. You know, and I know, that it was very much opposed in the Northern States; sometimes with argument not unfair, often by mere ebullition of party, and often by those whirlwinds of fanaticism that raise a dust and blind the eyes, but produce no other effect. Now, Gentlemen, this question of the propriety of the Fugitive Slave Law, or the enactment of some such law, is a question that must be met. Its enemies will not let it sleep or slumber. They will "give neither sleep to their eyes nor slumber to their eyelids" so long as they can agitate it before the people. It is with them a topic, a desirable topic, and all who have much experience in political affairs know that, for party men and in party times, there is hardly any thing so desirable as a topic. Now, Gentlemen, I am ready to meet this question. I am ready to meet it, and ready to say that it was right, proper, expedient, and just that a suitable law should be passed for the restoration of fugitive slaves, found in free States, to their owners in slave States. I am ready to say that, because I only repeat the words of the Constitution itself, and I am not afraid of being considered a plagiarist, nor a feeble imitator of other men's language and sentiments, when I repeat and announce to every part of the Union, to you, here, and at all times, the language of the Constitution of my country.

Gentlemen, at the period of the Revolution, slavery existed in the Southern States, and had existed there for more than a hundred years. We of the North were not guilty of its introduction. That generation of men, even in the South, were not guilty of it. It had been introduced according to the policy of the mother country, before the United States were independent; indeed, before there were

any authorities in the Colonies competent to resist it. Why, Gentlemen, men's opinions have so changed on this subject, and properly, the world has come to hold sentiments so much more just, that we can hardly believe, what is certainly true, that at the peace of Aix-la-Chapelle, in 1748, the English government insisted on the fulfilment, to its full extent, of a condition in the treaty of the Asiento, signed at Utrecht, in 1713, by which the Spanish government had granted the unqualified and exclusive privilege to the British government of importing slaves into the Spanish colonies in America! That was not then repugnant to public sentiment; happily, such a contract would be execrated now.

I allude to this only to show that the introduction of slavery into the Southern States is not to be visited upon the generation that achieved the independence of this country. On the contrary, all the eminent men of that day regretted its existence. And you, my young friends of Albany, if you will take the pains to go back to the debates of the period, from the meeting of the first Congress, in 1774, I mean the Congress of the Confederation, to the adoption of the present Constitution, and the enactment of the first laws under it, — you, or any body who will make that necessary research, will find that Southern men and Southern States, as represented in Congress, lamented the existence of slavery in far more earnest and emphatic terms than the Northern; for, though it did exist in the Northern States, it was a feeble taper, just going out, soon to end, and nothing was feared from it, while leading men of the South, and especially of Virginia, felt and acknowledged that it was a moral and political evil; that it weakened the arm of the freeman, and kept back the progress and success of free labor; and they said with truth, and all history verifies the observation, "that if the shores of the Chesapeake had been made as free to free labor as the shores of the North River, New York might have been great, but Virginia would have been great also." That was the sentiment.

Now under this state of things, Gentlemen, when the Constitution was framed, its framers, and the people who adopted it, came to a clear, express, unquestionable stipula-

tion and compact. There had been an ancient practice, a practice a century old, for aught I know, according to which fugitives from service, whether apprentices at the North or slaves at the South, should be restored. Massachusetts had restored fugitive slaves to Virginia long before the adoption of the Constitution, and it is well known that in other States, in which slavery did or did not exist, they were restored also, on proper application. And it was held that any man could pursue his slave and take him wherever he could find him. Under this state of things, it was expressly stipulated, in the plainest language, and there it stands, — sophistry cannot gloss it, it cannot be erased from the page of the Constitution; there it stands, — that persons held to service or labor in one State, under the laws thereof, escaping into another, shall not, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up upon claim of the party to whom such service or labor shall be due. This was adopted without dissent; it was nowhere objected to, North or South, but considered as a matter of absolute right and justice to the Southern States, and concurred in every where, by every State that adopted the Constitution; and we look in vain for any opposition to it, from Massashusetts to Georgia.

This, then, being the case, this being the provision of the Constitution, it was found necessary, in General Washington's time, to pass a law to carry that provision of the Constitution into effect. Such a law was prepared and passed. It was prepared by a gentleman from a Northern State. It is said to have been drawn up by Mr. Cabot, of Massachusetts. It was supported by him, and by Mr. Goodhue, and by Mr. Sedgwick, of Massachusetts, and generally by all the free States. It passed without a division in the Senate, and with but seven votes against it in the House. It went into operation, and for a time it satisfied the just rights and expectations of every body. That law provided that its enactments should be carried into effect mainly by State magistrates, justices of the peace, judges of State courts, sheriffs, and other organs of State authority. So things went on, without loud complaints from any quarter, until

some fifteen years ago, when some of the States, the free States, thought it proper to pass laws prohibiting their own magistrates and officers from executing this law of Congress, under heavy penalties, and refusing to the United States authorities the use of their prisons for the detention of persons arrested as fugitive slaves. That is to say, these States passed acts defeating the law of Congress, as far as it was in their power to defeat it. Those of them to which I refer, not all, but several, nullified the law of 1793 entirely. They said, in effect, "We will not execute it. No runaway slave shall be restored." Thus the law became a dead letter, an entire dead letter. But here was the constitutional compact, nevertheless, still binding; here was the stipulation, as solemn as words could form it, and which every member of Congress, every officer of the general government, every officer of the State governments, from governors down to constables, is sworn to support. Well, under this state of things, in 1850, I was of opinion that common justice and good faith called upon us to make a law, fair, reasonable, equitable, and just, that should be calculated to carry this constitutional provision into effect, and give the Southern States what they were entitled to, and what it was intended originally they should receive, that is, the fair, right, and reasonable means to recover their fugitives from service from the States into which they had fled. I was of opinion that it was the bounden duty of Congress to pass such a law. The South insisted they had a right to it, and I thought they properly so insisted. It was no concession, no yielding of any thing, no giving up of any thing. When called on to fulfil a compact, the question is, Will you fulfil it? And, for one, I was ready. I said, "I will fulfil it by any fair and reasonable act of legislation."

Now, the law of 1850 had two objects, both of which were accomplished. First, it was to make the law more favorable for the fugitive than the law of 1793. It did so, because it called for a record, under seal, from a court in the State from which the fugitive came, proving the fact that he was a fugitive, so that nothing should be left, when pursued into a free State, but to produce the proof of his iden-

tity. Besides this, it secured a higher tribunal, and it placed the power in more responsible hands. The judges of the Supreme and District Courts of the United States, and learned persons appointed by them as commissioners, were to see to the execution of the law. It was, accordingly, a law more favorable, in all respects, to the fugitive, than the law passed under General Washington's administration in 1793. The second object was to carry the constitutional provision into effect by the authority of law, seeing that the States had prevented the execution of the former law.

The Constitution of the United States consists in a series of mutual agreements or compromises, one thing being yielded by the South, another by the North; the general mind having been brought together, and the whole agreed to, as I have said, as a series of compromises constituting one whole. Well, Gentlemen, who does not see that? Had the North no particular interest to be regarded and protected? Had the North no peculiar interest of its own? Was nothing yielded by the South to the North? Gentlemen, you are proud citizens of a great commercial State. You know that New York ships float over the whole globe, and bring abundance of riches to your own shores. You know that this is the result of the commercial policy of the United States, and of the commercial power vested in Congress by the Constitution. And how was this commerce established? by what constitutional provisions, and for whose benefit? The South was never a commercial country. The plantation States were never commercial. Their interest always was, as they thought, what they think it to be now, free trade, the unrestricted admission of foreigners in competition in all branches of business with our own people. But what did they do? They agreed to form a government that should regulate commerce according to the wants and wishes of the Northern States, and when the Constitution went into operation, a commercial system was actually established, on which has risen up the whole glory of New York and New England. How was this effected? What did Congress do under a Northern lead with Southern acquies-

cence? What did it do? It protected the commerce of New York and the Eastern States, by preference, by discriminating tonnage duties; and that higher duty on foreign ships has never been surrendered to this day except in consideration of a just equivalent; so, in that respect, without grudging or complaint on the part of the South, but generously and fairly, not by way of concession, but in the true spirit of the Constitution, the commerce of New York and the New England States was protected by the provision of the Constitution to which I have referred. But that is not all.

Friends! fellow-citizens! men of New York! does this country not now extend from Maine to Mexico, and beyond? Have we not a State beyond Cape Horn, belonging nevertheless to us as part of our commercial system? And what does New York enjoy? What do Massachusetts and Maine enjoy? They enjoy an exclusive right of carrying on the coasting trade from State to State, on the Atlantic, and around Cape Horn to the Pacific. And that is a highly important branch of business, and a source of wealth and emolument, of comfort and good living. Every man must know this, who is not blinded by passion or fanaticism. It is this right to the coasting trade, to the exclusion of foreigners, thus granted to the Northern States, which they have ever held, and of which, up to this time, there has been no attempt to deprive them; it is this which has employed so much tonnage and so many men, and given support to so many thousands of our fellow-citizens. Now what would you say, in this day of the prevalence of notions of free trade, — what would you say, if the South and the South-west were to join together to repeal this law? And they have the votes to do it to-morrow. What would you say if they should join hands and resolve that these men of New York and New England, who put this slight on their interest, shall enjoy this exclusive privilege no longer? that they will throw it all open, and invite the Dane, the Swede, the Hamburgher, and all the commercial nations of Europe who can carry cheaper, to come in and carry goods from

New York coastwise on the Atlantic, and to California, on the Pacific? What would you say to that?

Gentlemen, we live under a Constitution. It has made us what we are. What has carried the American flag all over the world? What has constituted that "unit of commerce," that wherever the stars and stripes are seen, they signify that it belongs to America and united America? What is it now that represents us so respectably all over Europe? in London at this moment, and all over the world? What is it but the result of those commercial regulations which united us all together, and made our commerce the same commerce; which made all the States, New York, Massachusetts, and South Carolina, in the aspect of our foreign relations one and the same country, without division, distinction, or separation? Now, Gentlemen, to effect this was the original design of the Constitution. We in our day must see to it; and it will be equally incumbent on you, my young friends of Albany, to see that, while you live, this spirit is made to pervade the whole administration of the government. The Constitution of the United States, to keep us united, to keep a fraternal feeling flowing in our hearts, must be administered in the spirit in which it was framed.

And, Gentlemen, if I wished to convey to you an idea of what that spirit is, I would exhibit it to you in its living, speaking, animated form; I would refer now and always to the administration of the first President, George Washington. If I were now to describe a patriot President, I would draw his masterstrokes and copy his design; I would present his picture before me as a constant study; I would display his policy, alike liberal and just, narrowed down to no sectional interests, bound to no personal objects, held to no locality, but broad and generous and open, as expansive as the air which is wafted by the winds of heaven from one part of the country to another.

I would draw a picture of his foreign policy, just, steady, stately, but withal proud, and lofty, and glorious. No man apprehended, in his day, that the broad escutcheon of the

Union could receive injury or damage, or even contumely or disrespect, with impunity. His own character gave character to the foreign relations of the country. He upheld every interest of the United States in even the proudest nations of Europe; and while resolutely just, he was as resolutely determined that no plume in the honor of the country should ever be defaced or moved from its proper position by any power on earth. Washington was cautious and prudent; no self-seeker; giving information to Congress, as directed by the Constitution, on all questions, when necessary, with fairness and frankness, claiming nothing for himself, exercising his own rights, and preserving the dignity of his station, but taking especial care to execute the laws as a paramount duty, and in such manner as to give satisfaction to all just and reasonable men. It was always remarked of his administration, that he filled the courts of justice with the most spotless integrity, the highest talent, and the purest virtue; and hence it became a common saying, running through all classes of society, that our great security is in the learning and integrity of the judicial tribunals. This high character they justly possessed, and continue to possess in an eminent degree, from the impress which Washington stamped on these tribunals at their first organization.

Gentlemen, a patriot President is the guardian, the protector, the friend, of every citizen of the United States. He should be, and he is, no man's persecutor, no man's enemy, but the supporter and the protector of all and every citizen, so far as such support and protection depend on his faithful execution of the laws. But there is especially one great idea which Washington presents, and which governed him, and which should govern every man high in office who means to resemble Washington; and that is, the duty of preserving the government itself; of suffering, so far as depends on him, no one branch to interfere with another; no power to be assumed by any department which does not belong to it, and none to be abandoned which does belong to it, but to preserve it and carry it on unharmed for the benefit of the present and future generations.

Gentlemen, a wise and prudent shipmaster makes it his first duty to preserve the vessel which carries him, and his passengers, and all that is committed to his charge; to keep her afloat, to conduct her to her destined port with entire security of property and life. That is his first object, and that should be, and is, the object of every chief magistrate of the United States, who has a proper appreciation of his duty. His first and highest duty is to preserve the Constitution which bears him, which sustains the government, without which every thing goes to the bottom; to preserve that, and keep it, with the utmost of his ability and foresight, off the rocks and shoals, and away from the quicksands. To accomplish this great end, he exercises the caution of the experienced navigator. He suffers nothing to betray his watchfulness, or to draw him aside from the great interest committed to his care; but is always awake, always solicitous, always anxious, for the safety of the ship which is to carry him through the stormy seas.

"Though pleased to see the dolphins play,
He minds his compass and his way;
And oft he throws the wary lead,
To see what dangers may be hid:
At helm he makes his reason sit;
His crew of passions all submit.
Thus, thus he steers his bark, and sails,
On upright keel, to meet the gales!"

Now, gentlemen, a patriot President, acting from the impulses of this high and honorable purpose, may reach what Washington reached. He may contribute to raise high the public prosperity, to help to fill up the measure of his country's glory and renown. He may be able to find a rich reward in the thankfulness of the people,

"And read his history in a nation's eyes."

DINNER AT ALBANY, N. Y.

Speech delivered at a Dinner in Albany.

In the evening of the 28th of May, 1851, Mr. Webster was entertained at a dinner by a large company of the most distinguished citizens of Albany. Hon. John C. Spencer presided at the table, and, after the cloth was removed, addressed the company in a most interesting and eloquent style, and concluded by saying,

"Gentlemen, I give you a sentiment which I think will be drunk in bumpers and standing. [The whole assembly rose at once with acclamation.]

"The Constitution of the United States and Daniel Webster: inseparable now, and inseparable in the records of time and eternity."

Mr. Webster rose to respond, when the whole company greeted him with three times three cheers. Mr. Webster spoke as follows:—

I know, Gentlemen, very well, how much of the undeserved compliment, or I may say eulogy, which you have heard from my honorable friend at the head of the table, is due to a personal and political friendship which has now continued for many years. Of course, I cannot but most profoundly thank him for the manner in which he has expressed himself. Gentlemen, what shall I say? What shall I say to this outpouring of kindness? I am overwhelmed. I have no words. I cannot acknowledge the truth of what has been said, yet I hardly could find it in my heart to deny it. It is overstated. It is overstated. But that I love the Constitution of the country; that I have a passion for it, the only political passion that ever entered into my breast; that I cherish it day and night; that I live on its healthful, saving influences, and that I trust never, never, never to cease to heed it till I go to the grave of my fathers, is as true [turning to Mr. Spencer] as that you sit here. I do not suppose I am born to any considerable destiny, but my destiny, whatever it may be, attaches me to the Constitution of the country. I desire not to outlive it. I desire to render it some service. And, on the modest stone that shall mark my grave, whether within my native New Hampshire or my adopted Massachusetts, I wish no other epitaph than this: While he lived, he did what he could to support the Constitution of his country. I confess to you that as to

mere questions of politics, of expediency, I have taken my share in them, as they have gone along, in the course of my public life, which is now fast running through. But have felt no anxiety, no excitement; nothing has made me lie awake at night, when it is said honest men sleep, except what has concerned the preservation of the Union.

The Constitution of the United States! What is there on the whole earth; what is there that so fills the imaginations of men under heaven; what is there that the civilized, liberalized, liberty-loving people of the world can look at, and do look at, so much as that great and glorious instrument held up to their contemplation, blazing over this western hemisphere, and darting its rays throughout the world, the Constitution of the United States of America! In Massachusetts, in New York, in Washington, its ample folds are athwart the whole heavens. Are they not seen in all America, on all the continent of Europe, gazed at and honored in Russia, in Turkey, in the Indian seas, in all the countries of the Oriental world? What is it that makes you and me here to-day, so proud as we are of the name of America? What is it? It is almost a miracle; the achievement of half a century, by wise men under propitious circumstances, acting from patriotic motives; a miracle achieved on earth and in view of all nations; the establishment of a government, taking hold on a great continent; covering ample space for fifty other governments; having twenty-five millions of people, intelligent, prosperous, brave, able to defend themselves against united mankind, and to bid defiance to the whole of them; a noble monument of republican honor and power, and of republican success, that throws a shade, and sometimes a deep and black shade, over the monarchies, and aristocracies, and despotisms of Europe. Who is there, who is there from the poles to the Mediterranean, despot, aristocrat, autocrat, who is there that now dares to speak reproachfully or in tones of derogation of the government of the United States of America? There is not one. And if we may judge, my friends, of the success of our system of government from the regard it attracts from all nations, we may flatter ourselves that in our primi-

tive republicanism, in our representative system, in our departure from the whole feudal code and all the prerogatives of aristocratic and autocratic power, from all the show and pageantry of courts, we shall hold ourselves up like the face of the sun, not marred by inscription, but bright in glory, and glittering in the sight of all men. And so we will stand, so shine; and when the time comes when I shall be gathered to my fathers, and you to yours, that eternal, unfading sun of American liberty and republicanism, as steady in its course as the sun in the heavens, shall still pour forth his beams for the enlightenment of mankind.

Gentlemen, I again thank you for the manner in which you have been pleased to receive the complimentary sentiment proposed by my friend. I thank you, thank him. Gentlemen, I am happy to be here, in this ancient city. Of course, I like to see my Yankee brethren here, and a great many of them, of the ancient stock. But I have no objection to see the recent importations, so to describe them, come from where they may; because I am of opinion, and have expressed it again and again, that we have got to that stage in our affairs, that the world has reached that point in the system of change and innovation, that we have nothing to do but say to the inhabitants of the ancient world, — the Irish, the Welsh, the German, — Gentlemen, come! and the fact is, "the cry is still, They come!" There are people enough imported into New York, twice a year, to make a city as large as old Salem or Naumkeag in Massachusetts. Every ship brings them to our shores, and off they start for Wisconsin. Well, they come, and whether they come from Dublin, Cork, or Kerry, they are very happy to stay where they are. If they come from the North of Ireland, if they have a little of the canny Scot in them, they still find themselves at home. Every steamboat brings them, and every packet; and when you think they are all here, "the cry is still, They come!" Well, we must meet this as well as we can. Very many of them are excellent persons, and become excellent citizens of the United States. I am a New England man. I am of the Anglo-Saxon race; but it is my good fortune to be connected in life with a lady who

has a portion of the old Knickerbocker blood. I am happy to know that among this company there are many persons of Dutch descent. I honor them all, and I accord to them credit for honesty, for sobriety of character, and for the great aid they have lent to the growth and prosperity of this and neighboring States.

Gentlemen, numerous and various as are the elements of our national life, they are harmonized into one great whole, — the Constitution and the Union. With my dying breath, if I have my senses, my last prayer shall be, Heaven save my country and the Constitution! I hear the cry of disunion, secession. The secession of individual States, to my mind, is the most absurd of all ideas. I should like to know how South Carolina is to get out of this Union. Where is she to go? The commercial people of Charleston say, with truth and propriety, if South Carolina secedes from the Union, we secede from South Carolina. The thing is absurd. A separate secession is an absurdity. It could not take place. It must lead to war. I do, indeed, admit the possibility that a great mass of the Southern States, if they should come so far north as to include Virginia, might make a Southern confederation. But it would put Virginia up to all she knows to accomplish it. More than half of Virginia lies on the west slope of the Alleghanies, and is connected with the valley of the Mississippi, its people and interests, more than with those who live on tide-water. Do they think that the great western slope of the Alleghanies is to be included in a secession movement? Nevertheless, it is a most serious consideration. All know what would be the result of any dismemberment of this Union, large or small. The philosophic poet tells us, that in the frame of things above us, beneath us, and around us, there are connections, mutual dependences and relations, which link them together in one great chain of existences, beginning from the throne on high, and running down to the lowest order of beings. There seems to be some analogy between this great system of the universe and our association here as separate States; independent, yet connected, revolving in separate spheres, and yet mutually bound one

with another. What the poet says of the great chain that holds all together in the moral, intellectual, and physical world, is applicable to the bond which unites the States: —

"Whatever link you strike,
Tenth, or ten thousandth, breaks the chain alike."

Now, Gentlemen, it is not for me to do much more, nor attempt much more, on this theatre of action. I look on to see what others shall do, and especially to see what the rising generation shall do. I look on to see what the young men of the country are determined to do. I see them intelligent, regardless of personal objects, holding on upon what their ancestors gave them, holding on with their whole strength to the institutions of the country. I know that, when I shall slumber in the dust, the institutions of the country will be free and safe; I know that the young men of the country can preserve the country. In the language of the old Greek orator, "The young are the spring time of the people." I wish to leave my exhortation to the young men all over the country; to say to them, On you, young men of the republic, the hopes, the independence, the Union, the honor of the country, entirely depend. May God bless you! In taking leave of you, whilst I shall never forget the pleasure this occasion has given me, I give you as a sentiment: —

"The young men of Albany, the young men of this generation and of the succeeding generations: may they live for ever, but may the Constitution and the Union outlive them all."

THE ADDITION TO THE CAPITOL.

Address delivered at the Laying of the Corner Stone of the Addition to the Capitol, on the 4th of July, 1851.

FELLOW-CITIZENS, — I greet you well; I give you joy, on the return of this anniversary; and I felicitate you, also, on the more particular purpose of which this ever-memorable day has been chosen to witness the fulfilment. Hail! all hail! I see before and around me a mass of faces, glowing with cheerfulness and patriotic pride. I see thousands of eyes turned towards other eyes, all sparkling with gratifica-

tion and delight. This is the New World! This is America! This is Washington! and this the Capitol of the United States! And where else, among the nations, can the seat of government be surrounded, on any day of any year, by those who have more reason to rejoice in the blessings which they possess? Nowhere, fellow-citizens! assuredly nowhere! Let us, then, meet this rising sun with joy and thanksgiving!

This is that day of the year which announced to mankind the great fact of American Independence. This fresh and brilliant morning blesses our vision with another beholding of the birthday of our nation; and we see that nation, of recent origin, now among the most considerable and powerful, and spreading over the continent from sea to sea.

Among the first colonists from Europe to this part of America, there were some, doubtless, who contemplated the distant consequences of their undertaking, and who saw a great futurity. But, in general, their hopes were limited to the enjoyment of a safe asylum from tyranny, religious and civil, and to respectable subsistence, by industry and toil. A thick veil hid our times from their view. But the progress of America, however slow, could not but at length awaken genius, and attract the attention of mankind.

In the early part of the second century of our history, Bishop Berkeley, who, it will be remembered, had resided for some time in Newport, in Rhode Island, wrote his well-known "Verses on the Prospect of planting ARTS and LEARNING in AMERICA." The last stanza of this little poem seems to have been produced by a high poetical inspiration: —

> "Westward the course of empire takes its way;
> The four first acts already past,
> A fifth shall close the drama with the day:
> Time's noblest offspring is the last."

This extraordinary prophecy may be considered only as the result of long foresight and uncommon sagacity; of a foresight and sagacity stimulated, nevertheless, by excited feeling and high enthusiasm. So clear a vision of what America would become was not founded on square miles, or

on existing numbers, or on any common laws of statistics. It was an intuitive glance into futurity; it was a grand conception, strong, ardent, glowing, embracing all time since the creation of the world, and all regions of which that world is composed, and judging of the future by just analogy with the past. And the inimitable imagery and beauty with which the thought is expressed, joined to the conception itself, render it one of the most striking passages in our language.

On the day of the declaration of independence our illustrious fathers performed the first scene in the last great act of this drama; one in real importance infinitely exceeding that for which the great English poet invokes

> "A muse of fire,
> A kingdom for a stage, princes to act,
> And monarchs to behold the swelling scene!"

The Muse inspiring our fathers was the Genius of Liberty, all on fire with a sense of oppression, and a resolution to throw it off; the whole world was the stage, and higher characters than princes trod it; and, instead of monarchs, countries and nations and the age beheld the swelling scene. How well the characters were cast, and how well each acted his part, and what emotions the whole performance excited, let history, now and hereafter, tell.

At a subsequent period, but before the declaration of independence, the Bishop of St. Asaph published a discourse, in which the following remarkable passages are found:—

"It is difficult for man to look into the destiny of future ages; the designs of Providence are vast and complicated, and our own powers are too narrow to admit of much satisfaction to our curiosity. But when we see many great and powerful causes constantly at work, we cannot doubt of their producing proportionable effects.

"The colonies in North America have not only taken root and acquired strength, *but seem hastening with an accelerated progress to such a powerful state as may introduce a new and important change in human affairs.*

"Descended from ancestors of the most improved and enlightened part of the Old World, they receive, as it were by inheritance, all the improvements and discoveries of their mother country. And it happens fortunately for them to commence their flourishing state at a time when

the human understanding has attained to the free use of its powers, and has learned to act with vigor and certainty. They may avail themselves, not only of the experience and industry, but even of the errors and mistakes, of former days. Let it be considered for how many ages a great part of the world appears not to have thought at all; how many more they have been busied in forming systems and conjectures, while reason has been lost in a labyrinth of words, and they never seem to have suspected on what frivolous matters their minds were employed.

"And let it be well understood what rapid improvements, what important discoveries, have been made, in a few years, by a few countries, with our own at their head, which have at last discovered the right method of using their faculties.

"May we not reasonably expect that a number of provinces possessed of these advantages and quickened by mutual emulation, with only the common progress of the human mind, should very considerably enlarge the boundaries of science?

"The vast continent itself, over which they are gradually spreading, may be considered as a treasure yet untouched of natural productions that shall hereafter afford ample matter for commerce and contemplation. And if we reflect what a stock of knowledge may be accumulated by the constant progress of industry and observation, fed with fresh supplies from the stores of nature, assisted sometimes by those happy strokes of chance which mock all the powers of invention, and sometimes by those superior characters which arise occasionally to instruct and enlighten the world, it is difficult even to imagine to what height of improvement their discoveries may extend.

"*And perhaps they may make as considerable advances in the arts of civil government and the conduct of life.* We have reason to be proud, and even jealous, of our excellent constitution; but those equitable principles on which it was formed, an equal representation, (the best discovery of political wisdom,) and a just and commodious distribution of power which with us were the price of civil wars, and the rewards of the virtues and sufferings of our ancestors, descend to them as a natural inheritance, without toil or pain.

"*But must they rest here, as in the utmost effort of human genius? Can chance and time, the wisdom and the experience of public men, suggest no new remedy against the evils* which vices and ambition are perpetually apt to cause? May they not hope, without presumption, to preserve a greater zeal for piety and public devotion than we have done? For sure it can hardly happen to them, as it has to us, that when religion is best understood and rendered most pure and reasonable, then should be the precise time when many cease to believe and practise it, and all in general become most indifferent to it.

"May they not possibly be more successful than their mother country

has been in preserving that reverence and authority which are due to the laws? to those who make, and to those who execute them? *May not a method be invented of procuring some tolerable share of the comforts of life to those inferior useful ranks of men to whose industry we are indebted for the whole? Time and discipline may discover some means to correct the extreme inequalities of condition between the rich and the poor, so dangerous to the innocence and happiness of both.* They may fortunately be led by habit and choice to despise that luxury which is considered with us the true enjoyment of wealth. They may have little relish for that ceaseless hurry of amusements which is pursued in this country without pleasure, exercise, or employment. And perhaps, after trying some of our follies and caprices, and rejecting the rest, they may be led by reason and experiment to that old simplicity which was first pointed out by nature, and has produced those models which we still admire in arts, eloquence, and manners. *The diversity of new scenes and situations, which so many growing states must necessarily pass through, may introduce changes in the fluctuating opinions and manners of men which we can form no conception of;* and not only the gracious disposition of Providence, but the visible preparation of causes, seems to indicate strong tendencies towards a general improvement."

Fellow-citizens, this "gracious disposition of Providence," and this "visible preparation of causes," at length brought on the hour for decisive action. On the 4th of July, 1776, the Representatives of the United States of America, in Congress assembled, declared that these United Colonies are, and of right ought to be, FREE AND INDEPENDENT STATES.

This declaration, made by most patriotic and resolute men, trusting in the justice of their cause and the protection of Heaven, and yet made not without deep solicitude and anxiety, has now stood for seventy-five years, and still stands. It was sealed in blood. It has met dangers, and overcome them; it has had enemies, and conquered them; it has had detractors, and abashed them all; it has had doubting friends, but it has cleared all doubts away; and now, to-day, raising its august form higher than the clouds, twenty-five millions of people contemplate it with hallowed love, and the world beholds it, and the consequences which have followed from it, with profound admiration.

This anniversary animates and gladdens and unites all American hearts. On other days of the year we may be

party men, indulging in controversies, more or less important to the public good; we may have 'likes and dislikes, and we may maintain our political differences, often with warm, and sometimes with angry feelings. But to-day we are Americans all; and all nothing but Americans. As the great luminary over our heads, dissipating mists and fogs, now cheers the whole hemisphere, so do the associations connected with this day disperse all cloudy and sullen weather in the minds and hearts of true Americans. Every man's heart swells within him; every man's port and bearing become somewhat more proud and lofty, as he remembers that seventy-five years have rolled away, and that the great inheritance of liberty is still his; his, undiminished and unimpaired; his in all its original glory; his to enjoy, his to protect, and his to transmit to future generations.

Fellow-citizens, this inheritance which we enjoy to-day is not only an inheritance of liberty, but of our own peculiar American liberty. Liberty has existed in other times, in other countries, and in other forms. There has been a Grecian liberty, bold and powerful, full of spirit, eloquence, and fire; a liberty which produced multitudes of great men, and has transmitted one immortal name, the name of Demosthenes, to posterity. But still it was a liberty of disconnected states, sometimes united, indeed, by temporary leagues and confederacies, but often involved in wars between themselves. The sword of Sparta turned its sharpest edge against Athens, enslaved her, and devastated Greece; and, in her turn, Sparta was compelled to bend before the power of Thebes. And let it ever be remembered, especially let the truth sink deep into all American minds, that it was the WANT OF UNION among her several states which finally gave the mastery of all Greece to Philip of Macedon.

And there has also been a Roman liberty, a proud, ambitious, domineering spirit, professing free and popular principles in Rome itself, but, even in the best days of the republic, ready to carry slavery and chains into her provinces, and through every country over which her eagles could be borne. What was the liberty of Spain, or Gaul, or Germany, or Britain, in the days of Rome? Did true constitutional lib-

erty then exist? As the Roman empire declined, her provinces, not instructed in the principles of free popular government, one after another declined also, and when Rome herself fell, in the end, all fell together.

I have said, Gentlemen, that our inheritance is an inheritance of American liberty. That liberty is characteristic, peculiar, and altogether our own. Nothing like it existed in former times, nor was known in the most enlightened states of antiquity; while with us its principles have become interwoven into the minds of individual men, connected with our daily opinions, and our daily habits, until it is, if I may so say, an element of social as well as of political life; and the consequence is, that to whatever region an American citizen carries himself, he takes with him, fully developed in his own understanding and experience, our American principles and opinions, and becomes ready at once, in coöperation with others, to apply them to the formation of new governments. Of this a most wonderful instance may be seen in the history of the State of California.

Fellow-citizens, by the act of Congress of the 30th of September, 1850, provision was made for the extension of the Capitol, according to such plan as might be approved by the President of the United States, and for the necessary sums to be expended, under his direction, by such architect as he might appoint. This measure was imperatively demanded, for the use of the legislative and judiciary departments, the public libraries, the occasional accommodation of the chief executive magistrate, and for other objects. No act of Congress incurring a large expenditure has received more general approbation from the people. The President has proceeded to execute this law. He has approved a plan; he has appointed an architect; and all things are now ready for the commencement of the work.

The anniversary of national independence appeared to afford an auspicious occasion for laying the foundation stone of the additional building. That ceremony has now been performed by the President himself, in the presence and view of this multitude. He has thought that the day and

the occasion made a united and imperative call for some short address to the people here assembled; and it is at his request that I have appeared before you to perform that part of the duty which was deemed incumbent on us.

Beneath the stone is deposited, among other things, a list of which will be published, the following brief account of the proceedings of this day, in my handwriting:—

"On the morning of the first day of the seventy-sixth year of the Independence of the United States of America, in the city of Washington, being the 4th day of July, 1851, this stone, designed as the corner stone of the extension of the Capitol, according to a plan approved by the President, in pursuance of an act of Congress, was laid by

MILLARD FILLMORE,

PRESIDENT OF THE UNITED STATES,

assisted by the Grand Master of the Masonic Lodges, in the presence of many members of Congress, of officers of the Executive and Judiciary Departments, National, State, and District, of officers of the army and navy, the corporate authorities of this and neighboring cities, many associations, civil and military and masonic, members of the Smithsonian Institution and National Institute, professors of colleges and

teachers of schools of the District, with their students and pupils, and a vast concourse of people from places near and remote, including a few surviving gentlemen who witnessed the laying of the corner stone of the Capitol by President Washington, on the 18th day of September, A. D. 1793.

"If, therefore, it shall be hereafter the will of God that this structure shall fall from its base, that its foundation be upturned, and this deposit brought to the eyes of men, be it then known, that on this day the Union of the United States of America stands firm, that their Constitution still exists unimpaired, and with all its original usefulness and glory; growing every day stronger and stronger in the affections of the great body of the American people, and attracting more and more the admiration of the world. And all here assembled, whether belonging to public life or to private life, with hearts devoutly thankful to Almighty God for the preservation of the liberty and happiness of the country unite in sincere and fervent prayers that this deposit, and the walls and arches, the domes

and towers, the columns and entablatures, now to be erected over it, may endure for ever!

"God save the United States of America!

"Daniel Webster,

"Secretary of State of the United States."

Fellow-citizens, fifty-eight years ago Washington stood on this spot to execute a duty like that which has now been performed. He then laid the corner stone of the original Capitol. He was at the head of the government, at that time weak in resources, burdened with debt, just struggling into political existence and respectability, and agitated by the heaving waves which were overturning European thrones. But even then, in many important respects, the government was strong. It was strong in Washington's own great character; it was strong in the wisdom and patriotism of other eminent public men, his political associates and fellow-laborers; and it was strong in the affections of the people.

The extension of territory embraced within the United States, increase of its population, commerce, and manufactures, development of its resources by canals and railroads, and rapidity of intercommunication by means of steam and electricity, have all been accomplished without overthrow of, or danger to, the public liberties, by any assumption of military power; and, indeed, without any permanent increase of the army, except for the purpose of frontier defence, and of affording a slight guard to the public property; or of the navy, any further than to assure the navigator that, in whatsoever sea he shall sail his ship, he is protected by the stars and stripes of his country. This, too, has been done without the shedding of a drop of blood for treason or rebellion; while systems of popular representation have regularly been supported in the State governments and in the general government; while laws, national and State, of such a character have been passed, and have been so wisely administered, that I may stand up here to-day, and declare, as

I now do declare, in the face of all the intelligent of the age, that, for the period which has elapsed from the day that Washington laid the foundation of this Capitol to the present time, there has been no country upon earth in which life, liberty, and property have been more amply and steadily secured, or more freely enjoyed, than in these United States of America. Who is there that will deny this? Who is there prepared with a greater or a better example? Who is there that can stand upon the foundation of facts, acknowledged or proved, and assert that these our republican institutions have not answered the true ends of government beyond all precedent in human history?

There is yet another view. There are still higher considerations. Man is an intellectual being, destined to immortality. There is a spirit in him, and the breath of the Almighty hath given him understanding. Then only is he tending toward his own destiny, while he seeks for knowledge and virtue, for the will of his Maker, and for just conceptions of his own duty. Of all important questions, therefore, let this, the most important of all, be first asked and first answered: In what country of the habitable globe, of great extent and large population, are the means of knowledge the most generally diffused and enjoyed among the people? This question admits of one, and only one, answer. It is here; it is here in these United States; it is among the descendants of those who settled at Jamestown; of those who were pilgrims on the shore of Plymouth; and of those other races of men, who, in subsequent times, have become joined in this great American family. Let one fact, incapable of doubt or dispute, satisfy every mind on this point. The population of the United States is twenty-five millions. Now, take the map of the continent of Europe and spread it out before you. Take your scale and your dividers, and lay off in one area, in any shape you please, a triangle, square, circle, parallelogram, or trapezoid, and of an extent that shall contain one hundred and fifty millions of people, and there will be found within the United States more persons who do habitually read and write than can be embraced within the lines of your demarcation.

But there is something even more than this. Man is not only an intellectual, but he is also a religious being, and his religious feelings and habits require cultivation. Let the religious element in man's nature be neglected, let him be influenced by no higher motives than low self-interest, and subjected to no stronger restraint than the limits of civil authority, and he becomes the creature of selfish passion or blind fanaticism.

The spectacle of a nation powerful and enlightened, but without Christian faith, has been presented, almost within our own day, as a warning beacon for the nations.

On the other hand, the cultivation of the religious sentiment represses licentiousness, incites to general benevolence and the practical acknowledgment of the brotherhood of man, inspires respect for law and order, and gives strength to the whole social fabric, at the same time that it conducts the human soul upward to the Author of its being.

Now, I think it may be stated with truth, that in no country, in proportion to its population, are there so many benevolent establishments connected with religious instruction, Bible, Missionary, and Tract Societies, supported by public and private contributions, as in our own. There are also institutions for the education of the blind, of idiots, of the deaf and dumb; for the reception of orphan and destitute children, and the insane; for moral reform, designed for children and females respectively; and institutions for the reformation of criminals; not to speak of those numerous establishments, in almost every county and town in the United States, for the reception of the aged, infirm, and destitute poor, many of whom have fled to our shores to escape the poverty and wretchedness of their condition at home.

In the United States there is no church establishment or ecclesiastical authority founded by government. Public worship is maintained either by voluntary associations and contributions, or by trusts and donations of a charitable origin.

Now, I think it safe to say, that a greater portion of the people of the United States attend public worship, decently

clad, well behaved, and well seated, than of any other country of the civilized world. Edifices of religion are seen every where. Their aggregate cost would amount to an immense sum of money. They are, in general, kept in good repair, and consecrated to the purposes of public worship. In these edifices the people regularly assemble on the Sabbath day, which, by all classes, is sacredly set apart for rest from secular employment and for religious meditation and worship, to listen to the reading of the Holy Scriptures, and discourses from pious ministers of the several denominations.

This attention to the wants of the intellect and of the soul, as manifested by the voluntary support of schools and colleges, of churches and benevolent institutions, is one of the most remarkable characteristics of the American people, not less strikingly exhibited in the new than in the older settlements of the country. On the spot where the first trees of the forest were felled, near the log cabins of the pioneers, are to be seen rising together the church and the school house. So has it been from the beginning, and God grant that it may thus continue!

"On other shores, above their mouldering towns,
In sullen pomp, the tall cathedral frowns;
Simple and frail, our lowly temples throw
Their slender shadows on the paths below;
Scarce steal the winds, that sweep the woodland tracks,
The larch's perfume from the settler's axe,
Ere, like a vision of the morning air,
His slight-framed steeple marks the house of prayer.
Yet faith's pure hymn, beneath its shelter rude,
Breathes out as sweetly to the tangled wood,
As where the rays through blazing oriels pour
On marble shaft and tessellated floor."

Who does not admit that this unparalleled growth in prosperity and renown is the result, under Providence, of the union of these States under a general Constitution, which guaranties to each State a republican form of government, and to every man the enjoyment of life, liberty, and the pursuit of happiness, free from civil tyranny or ecclesiastical domination?

And, to bring home this idea to the present occasion, who does not feel that, when President Washington laid his hand on the foundation of the first Capitol, he performed a great work of perpetuation of the Union and the Constitution? Who does not feel that this seat of the general government, healthful in its situation, central in its position, near the mountains whence gush springs of wonderful virtue, teeming with Nature's richest products, and yet not far from the bays and the great estuaries of the sea, easily accessible and generally agreeable in climate and association, does give strength to the union of these States? that this city, bearing an immortal name, with its broad streets and avenues, its public squares and magnificent edifices of the general government, erected for the purpose of carrying on within them the important business of the several departments, for the reception of wonderful and curious inventions, for the preservation of the records of American learning and genius, of extensive collections of the products of nature and art, brought hither for study and comparison from all parts of the world; adorned with numerous churches, and sprinkled over, I am happy to say, with many public schools, where all the children of the city, without distinction, have the means of obtaining a good education; and with academies and colleges, professional schools and public libraries, should continue to receive, as it has heretofore received, the fostering care of Congress, and should be regarded as the permanent seat of the national government? Here, too, a citizen of the great republic of letters,* a republic which knows not the metes and bounds of political geography, has prophetically indicated his conviction that America is to exercise a wide and powerful influence in the intellectual world, by founding in this city, as a commanding position in the field of science and literature, and placing under the guardianship of the government, an institution "for the increase and diffusion of knowledge among men."

With each succeeding year new interest is added to the spot; it becomes connected with all the historical associa-

* Hugh Smithson, whose munificent bequest has been applied to the foundation of "The Smithsonian Institution."

tions of our country, with her statesmen and her orators, and, alas! its cemetery is annually enriched by the ashes of her chosen sons.

Before us is the broad and beautiful river, separating two of the original thirteen States, which a late President, a man of determined purpose and inflexible will, but patriotic heart, desired to span with arches of ever-enduring granite, symbolical of the firmly-cemented union of the North and the South. That President was General Jackson.

On its banks repose the ashes of the Father of his Country, and at our side, by a singular felicity of position, overlooking the city which he designed, and which bears his name, rises to his memory the marble column, sublime in its simple grandeur, and fitly intended to reach a loftier height than any similar structure on the surface of the whole earth.

Let the votive offerings of his grateful countrymen be freely contributed to carry this monument higher and still higher. May I say, as on another occasion, "Let it rise; let it rise till it meet the sun in his coming; let the earliest light of the morning gild it, and parting day linger and play on its summit!"

Fellow-citizens, what contemplations are awakened in our minds as we assemble here to reënact a scene like that performed by Washington! Methinks I see his venerable form now before me, as presented in the glorious statue by Houdon, now in the Capitol of Virginia. He is dignified and grave; but concern and anxiety seem to soften the lineaments of his countenance. The government over which he presides is yet in the crisis of experiment. Not free from troubles at home, he sees the world in commotion and in arms all around him. He sees that imposing foreign powers are half disposed to try the strength of the recently established American government. We perceive that mighty thoughts, mingled with fears as well as with hopes, are struggling within him. He heads a short procession over these then naked fields; he crosses yonder stream on a fallen tree; he ascends to the top of this eminence, whose original oaks of the forest stand as thick around him as if the spot had been devoted to Druidical worship, and here he performs the appointed duty of the day.

And now, fellow-citizens, if this vision were a reality; if Washington actually were now amongst us, and if he could draw around him the shades of the great public men of his own day, patriots and warriors, orators and statesmen, and were to address us in their presence, would he not say to us: "Ye men of this generation, I rejoice and thank God for being able to see that our labors and toils and sacrifices were not in vain. You are prosperous, you are happy, you are grateful; the fire of liberty burns brightly and steadily in your hearts, while DUTY and the LAW restrain it from bursting forth in wild and destructive conflagration. Cherish liberty, as you love it; cherish its securities, as you wish to preserve it. Maintain the Constitution which we labored so painfully to establish, and which has been to you such a source of inestimable blessings. Preserve the union of the States, cemented as it was by our prayers, our tears, and our blood. Be true to God, to your country, and to your duty. So shall the whole Eastern world follow the morning sun to contemplate you as a nation; so shall all generations honor you, as they honor us; and so shall that Almighty Power which so graciously protected us, and which now protects you, shower its everlasting blessings upon you and your posterity."

Great Father of your Country! we heed your words; we feel their force as if you now uttered them with lips of flesh and blood. Your example teaches us, your affectionate addresses teach us, your public life teaches us, your sense of the value of the blessings of the Union. Those blessings our fathers have tasted, and we have tasted, and still taste. Nor do we intend that those who come after us shall be denied the same high fruition. Our honor as well as our happiness is concerned. We cannot, we dare not, we will not, betray our sacred trust. We will not filch from posterity the treasure placed in our hands to be transmitted to other generations. The bow that gilds the clouds in the heavens, the pillars that uphold the firmament, may disappear and fall away in the hour appointed by the will of God; but until that day comes, or so long as our lives may last, no ruthless hand shall undermine that bright arch of Union and Liberty which spans the Continent from Washington to California.

Fellow-citizens, we must sometimes be tolerant to folly, and patient at the sight of the extreme waywardness of men; but I confess that, when I reflect on the renown of our past history, on our present prosperity and greatness, and on what the future hath yet to unfold, and when I see that there are men who can find in all this nothing good, nothing valuable, nothing truly glorious, I feel that all their reason has fled away from them, and left the entire control over their judgment and their actions to insanity and fanaticism; and more than all, fellow-citizens, if the purposes of fanatics and disunionists should be accomplished, the patriotic and intelligent of our generation would seek to hide themselves from the scorn of the world, and go about to find dishonorable graves.

Fellow-citizens, take *courage;* be of *good cheer.* We shall come to no such ignoble end. We shall live, and not die. During the period allotted to our several lives, we shall continue to rejoice in the return of this anniversary. The ill-omened sounds of fanaticism will be hushed; the ghastly spectres of *Secession* and *Disunion* will disappear, and the enemies of united constitutional liberty, if their hatred cannot be appeased, may prepare to have their eyeballs seared as they behold the steady flight of the American eagle, on his burnished wings, for years and years to come.

President Fillmore, it is your singularly good fortune to perform an act such as that which the earliest of your predecessors performed fifty-eight years ago. You stand where he stood; you lay your hand on the corner stone of a building designed greatly to extend that whose corner stone he laid. Changed, changed is every thing around. The same sun, indeed, shone upon his head which now shines upon yours. The same broad river rolled at his feet, and bathes his last resting-place, that now rolls at yours. But the site of this city was then mainly an open field. Streets and avenues have since been laid out and completed, squares and public grounds enclosed and ornamented, until the city which bears his name, although comparatively inconsiderable in numbers and wealth, has become quite fit to be the seat of government of a great and united people.

Sir, may the consequences of the duty which you per-

form so auspiciously to-day equal those which flowed from his act. Nor this only; may the principles of your administration, and the wisdom of your political conduct, be such, as that the world of the present day, and all history hereafter, may be at no loss to perceive what example you have made your study.

And now, fellow-citizens, with hearts void of hatred, envy, and malice towards our own countrymen, or any of them, or towards the subjects or citizens of other governments, or towards any member of the great family of man; but exulting, nevertheless, in our own peace, security, and happiness, in the grateful remembrance of the past, and the glorious hopes of the future, let us return to our homes, and with all humility and devotion offer our thanks to the Father of all our mercies, political, social, and religious.

TO MESSRS. JOHN HAVEN AND OTHERS, OF PORTSMOUTH, NEW HAMPSHIRE.

Washington, January 3, 1844.

GENTLEMEN,—I have received your letter requesting permission to present my name to the people as a candidate for the office of President of the United States, subject to the future wise, deliberate action of the Whig National Convention of 1844.

It would be disingenuous to withhold an expression of the grateful feelings awakened by a letter, containing such a request, so very numerously signed, and coming from among those who have known me through life. No one can be insensible to the distinction of being regarded by any respectable number of his fellow-citizens as among those from whom a choice of President might be made with honor and safety to the country. The office of President is an office, the importance of which cannot be too highly estimated. He who fills it necessarily exercises a great influence, not only on all the domestic interests of the country, on its foreign relations, and the support of its honor and character among the nations of the earth, but on that which is of the

very highest import to the happiness of the people, the maintenance of the Constitution itself, and the prosperous continuance of the government under it.

Our systems are peculiar; and while capable, as experience has shown, of producing the most favorable results, under a wise and cautious administration, they are, nevertheless, exposed to peculiar dangers.

We have six and twenty States, each possessing within itself powers of government, limited only by the Constitution of the United States; and we have a general government, to which are confided high trusts, to be exercised for the benefit of the people of all the States. It is obvious that this division of powers, itself the result of a novel and most delicate political operation, can be preserved only by the exercise of wisdom and pure patriotism. The Constitution of the United States stands on the basis of the people's choice. It must remain on that basis so long as it remains at all. The veneration and love which are entertained for it will be increased by every instance of wise, prudent, impartial, and parental administration.

On the other hand, they will be diminished by every administration which shall cherish local divisions, devote itself to local interests, seek to bend the influence of the government to personal or partisan purposes, or which shall forget that all patriotism is false and spurious which does not look with equal eye to the interests of the whole country, and all its parts, present and to come. I hardly know what an American statesman should so much deprecate, on his own account, as well as on account of his country, as that the Constitution of the United States, now the glory of our country and the admiration of the world, should become weakened in its foundations, perverted in its principles, or fallen and sunk in a nation's regard and a nation's hopes, by his own follies, errors, or mistakes. The Constitution was made for the good of the country; this the people know. Its faithful administration promotes that good; this the people know. The people will themselves defend it against all foreign powers, and all open force, and they will rightfully hold to a just and solemn account those to whom they

may commit it, and in whose hands it shall be found to be shorn of a single beam of its honor, or deprived of a particle of its capacity for usefulness. It was made for an honest people, and they expect it to be honestly administered. At the present moment, it is an object of general respect, confidence, and affection. Questions have arisen, however, and are likely to arise again, upon the extent of its powers, or upon the line which separates the functions of the general government from those of the State governments; and these questions will require, whenever they may occur, not only firmness, but much discretion, prudence, and impartiality, at the hand of the national executive. Extreme counsels or extreme opinions on either side would be very likely, if followed or adopted, to break up the well-adjusted balance of the whole. And he who has the greatest confidence in his own judgment, or the strongest reliance on his own good fortune, may yet be well diffident of his ability to discharge the duties of his trust in such a manner as shall prevent the public prosperity, or advance his own reputation.

But, Gentlemen, while the office of President is quite too high to be sought by personal solicitation, or for private ends and objects, it is not to be declined, if proffered by the voluntary desire of a free people.

It is now more than thirty years since you and your fellow-citizens of New Hampshire assigned me a part in political affairs. My public conduct since that period is known. My opinions on the great questions now most interesting to the country are well known. The constitutional principles which I have endeavored to maintain are also known. If these principles and these opinions, now not likely to be materially changed, should recommend me to further marks of public regard and confidence, I should not withhold myself from compliance with the general will.

But I have no pretensions of my own to bring forward, and trust that no friends of mine would, at any time, use my name for the purpose of preventing harmony among those whose general political opinions concur, or for any cause whatever but a conscientious regard to the good of the country. It is obvious, Gentlemen, that, at the pres-

ent moment, the tendency of opinion among those to be represented in the convention is generally and strongly set in another direction. I think it my duty, therefore, under existing circumstances, to request those who may feel a preference for me not to indulge in that preference, nor oppose any obstacle to the leading wishes of political friends, or to united and cordial efforts for the accomplishment of those wishes.

The election of the next autumn must involve, in general, the same principles, and the same questions, that belonged to that of 1840. The cause I conceive to be the true cause of the country, its permanent prosperity, and all its great interests; the cause of its peace and honor; the cause of good government, true liberty, and the preservation and integrity of the Constitution; and none should despair of its success.

I am, Gentlemen, with sentiments of sincere regard, your obliged and obedient servant,

DANIEL WEBSTER.

TO MESSRS. WILLIAM KINNEY AND OTHERS, OF STAUNTON, VIRGINIA.

Washington, November 23, 1850.

GENTLEMEN, — On my arrival in this city last evening, I had the pleasure of receiving your communication of the 7th instant. It is a refreshing, an encouraging, and a patriotic letter. You speak the sentiments which become the people of the great and ancient Commonwealth of Virginia. You speak as Wythe and Pendleton, Jefferson, Marshall, and Madison would speak were they yet among us. You speak of the union of these States; and what idea can suggest more lively emotion in the minds of the American people, of present prosperity, past renown, and future hopes? Gladly would I be with you, Gentlemen, on the proposed occasion, and, as one of your countrymen and fellow-citizens, assure you of my hearty sympathy with you in the opinions which you express, and my unchangeable purpose to coöperate with you and other good men in upholding the honor of the States and the Constitution of the government. How happy should I be to present myself in Virginia, west

of the Blue Ridge, and there to pledge mutual faith with the men of Augusta and Rockbridge, Bath, Alleghany, and Pocahontas, Highland, Pendleton, and Rockingham, that, while we live, the institutions of our wise and patriotic sires shall not want supporters, and that, so far as may depend on us, the civilized world shall never be shocked by beholding such a prodigy as the voluntary dismemberment of this glorious republic. No, Gentlemen, never, never! If it shall come to that, political martyrdom is preferable to such a sight. It is better to die while the honor of the country is untarnished, and the flag of the Union still flying over our heads, than to live to behold that honor gone for ever, and that flag prostrate in the dust. Gentlemen, I speak warmly, because I feel warmly, and because I know that I speak to men whose hearts are as warm as my own, in support of the country and the Union.

I am lately from the North, where I have mixed extensively with men of all classes and all parties, and I assure you, Gentlemen, through the masses of the Northern people the general feeling and the great cry is for the Union, and for its preservation. There are, it is true, men to be found, some of perverse purposes, and some of bewildered imaginations, who affect to suppose that some possible, but undefined good would arise from a dissolution of the ties which bind these United States together. But be assured the number of these men is small; the eminent leaders of all parties rebuke them, and while there prevails a general purpose to maintain the Union as it is, that purpose embraces, as its just and necessary means, a firm resolution of supporting the rights of all the States precisely as they stand guarantied and secured by the Constitution. And you may depend upon it, that every provision in that instrument in favor of the rights of Virginia, and the other Southern States, and every constitutional act of Congress passed to uphold and enforce those rights, will be upheld and maintained, not only by the power of the law, but also by the prevailing influence of public opinion.

Accidents may occur to defeat the execution of a law in a particular instance; misguided men may, it is possible,

sometimes enable others to elude the claims of justice and the rights founded in solemn constitutional compact; but on the whole, and in the end, the law will be executed and obeyed. The South will see that there is principle and patriotism, good sense and honesty, in the general mind of the North, and that, among the great mass of intelligent citizens in that quarter, the prevailing disposition to ask for justice is not stronger than the disposition to grant it to others.

Gentlemen, we are brethren; we are descendants of those who labored together with intense anxiety for the establishment of the present Federal Constitution. Let me ask you to teach your young men, into whose hands the power of the country must soon fall, to go back to the close of the Revolutionary war; to contemplate the feebleness and incompetency of the confederation of States then existing; and to trace the steps by which the intelligence and patriotism of the great men of that day led the country to the adoption of the existing Constitution. Teach them to study the proceedings, votes, and reports of committees in the old Congress. Especially draw their attention to the leading part taken by the Assembly of Virginia from 1783 onward. Direct their minds to the convention at Annapolis in 1786; and by the contemplation and study of these events and these efforts, let them see what a mighty thing it was to establish the government under which we have now lived so prosperously and so gloriously for sixty years. But, pardon me; I must not write an essay or make a speech. Virginia! true-hearted Virginia! stand by your country, stand by the work of your fathers, stand by the union of the States, and may Almighty God prosper all our efforts in the cause of liberty, and in the cause of that united government which renders this people the happiest people on whom the sun ever shone!

I am, Gentlemen, yours truly and faithfully,

DANIEL WEBSTER.

TO THE NEW YORK COMMITTEE FOR THE CELEBRATION OF THE BIRTH DAY OF WASHINGTON.

Washington, February 20, 1851.

GENTLEMEN, — It is a source of deep regret to me, that my public duties absolutely prohibit me from having the pleasure of accepting your invitation, in behalf of the Union Safety Committee, to attend a public dinner on the twenty-second, in honor of that auspicious day. Auspicious indeed! All good influences, all omens of independence, liberty, free government, the creation of a nation, its prosperity, happiness, and glory, hung over the hour when the eyes of Washington first opened to the light.

You say truly, Gentlemen, that the present moment admonishes us to rally in support of his principles, to express anew our admiration of his character, and our gratitude for his parting lessons of patriotism and wisdom.

You say truly, Gentlemen, that the great duty devolving on us is that of regarding the Union as the foundation of our peace and happiness, and the Constitution as the cement of that Union. So Washington regarded them; so he conjured his fellow-citizens, in all generations, to regard them; and whenever his Farewell Address to his country shall be forgotten, and its admonitions rejected by the people of America, from that time it will become a farewell address to all the bright hopes of human liberty on earth.

Gentlemen, the character of Washington is among the most cherished contemplations of my life. It is a fixed star in the firmament of great names, shining, without twinkling or obscuration, with clear, steady, beneficent light. It is associated and blended with all our reflections on those things which are near and dear to us. If we think of the independence of our country, we think of him whose efforts were so prominent in achieving it; if we think of the Constitution which is over us, we think of him who did so much to establish it, and whose administration of its powers is acknowledged to be a model for his successors. If we think of glory in the field, of wisdom in the cabinet, of the purest patriotism, of the highest integrity, public and pri

vate, of morals without a stain, of religious feelings without intolerance and without extravagance, the august figure of Washington presents itself as the personation of all these ideas.

You do well, Gentlemen, at this interesting hour, to invoke his example, to spread over all the land a knowledge of his principles among the rising generation, and fervently to pray Heaven that the spirit which was in him may also be in us.

When Washington, in behalf of the convention, presented to the old Congress and to the country that Constitution which was the production of their patriotic and assiduous labors, he made this most important declaration: "In all our deliberations upon this subject, we kept steadily in our view, that which appears to us the greatest interest of every true American, the consolidation of our Union, in which is involved our prosperity, felicity, safety, perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each State in the convention to be less rigid on points of inferior magnitude than might have been otherwise expected; and thus the Constitution which we now present is the result of a spirit of amity, and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable."

And when his public career was drawing to a close, he left to his country, as his last, best gift, his most earnest and affectionate exhortation, to uphold that Union as the main pillar of independence, and to frown indignantly upon the first dawning of any attempt to dissolve it.

The advice is heeded now, and will be heeded hereafter. But, nevertheless, there are some among us on whom it is no injustice that those frowns of indignation should fall. There are those who are altogether for abandoning the Union, and alienating one portion of the country from the rest. They avow their wishes, they disclose their purposes. They open their hearts, and in those hearts there is found no pulsation for that Union which makes all Americans one people. All is but the ebbing and the flowing of the dark,

unwholesome, troubled current of secession, schism, and separation.

We have seen propositions for secession formally brought forward, and solemnly discussed in the legislatures and conventions of several of the States. Other conventions are soon to be holden, under regular legislative provisions, to consider the same subject. In one important State, recent elections show that there prevails among the people almost an entire unanimity of sentiment in favor of breaking up the Union; and this dissolution of the Union, it is supposed, may not take place without conflict in arms. Munitions of war are therefore provided, schools of instruction in military tactics established, and an armed air and attitude assumed. These apprehensions of conflict, in case secession be attempted, are not only well founded, but, in my judgment, certain to be realized. Secession cannot be accomplished but by war. I do not believe those who favor it expect any other result. Their hope is, that their cause and its objects may spread; and that other States, by local sympathies, or a supposed common interest, may be led to espouse it; so that the whole country may come to be divided into two great local parties, and as such to contend for the mastery.

But, Providence has not forsaken us. This object, I believe, has been defeated by the measures of adjustment adopted by Congress at the last session, and by the spirit, ability, and success with which the friends of the Union have resisted it in the South. Nor have the efforts of your association, Gentlemen, been either unimportant or unavailing. Your voices have been heard throughout the whole land, and no man can doubt how the great commercial metropolis of the country feels and acts, or hereafter will feel and act, on questions involving public interests of such indescribable magnitude.

We have recently been informed, Gentlemen, of an open act of resistance to law, in the city of Boston; and if the accounts be correct of the circumstances of this occurrence, it is, strictly speaking, a case of treason. If men combine and confederate together, and by force of arms or force of

numbers effectually resist the operation of an act of Congress, in its application to a particular individual, with the avowed purpose of making the same resistance to the same act in its application to all other individuals, this is levying war against the United States, and is nothing less than treason. Now, I understand that the persons concerned in this outrage in Boston avow openly their full purpose of preventing, by arms, or by the power of the multitude, the execution of process for the arrest of an alleged fugitive slave in any and all cases whatever. I am sure, Gentlemen, that shame will burn the cheeks, and indignation fill the hearts, of nineteen twentieths of the people of Boston, at the avowal of principles and the commission of outrages so abominable. Depend upon it, that, if the people of that city had been informed of any such purpose or design as was carried into effect in the court house in Boston, on Saturday last, they would have rushed to the spot, and crushed such a nefarious project into the dust. The vast majority of the people of Boston must necessarily suffer in their feelings, but ought not to suffer at all in their character or reputation for loyalty to the Constitution, from the acts of such persons as composed the mob. I venture to say, that when you hear of them next, you will learn that, personally and collectively, as individuals, and also as represented in the city councils, they will give full evidence of their fixed purpose to wipe away, and obliterate to the full extent of their power, this foul blot on the good name of their city.

And now, Gentlemen, when projects of dissolution have taken so much of form and pressure in public bodies in the South, when lawless violence, trampling on the public authorities, stalks forth so boldly in the North, you will see that your work, highly prosperous thus far, is nevertheless not yet concluded. It is wise and patriotic, therefore, that you commemorate your love of country, strengthen your resolution to maintain the Constitution, the Union, and the laws, by uniting to celebrate the anniversary of the birth of the great Father of his Country. You do well to call to memory his services, to revive in your own bosoms his love

of liberty and order, and to draw in patriotic inspirations from his principles and his example. For these principles and this example, there will be found respect and admiration every where, where there is a true love for the institutions of the country. And every American may well doubt the patriotism of his own heart, when he finds that in that heart veneration for Washington begins to be languishing and dying away.

Gentlemen, the path of duty before you, and before me, is plain and broad; it is to do our duty, and our whole duty, thoroughly and fearlessly; it is to embrace the free institutions of our country, and to hold them up, with all our might, as if it were our last struggle upon earth. And then, if the blood of civil war shall flow, it will not stain our garments. If disgraceful outrages, gaining strength by indulgence and temporary success, shall proceed from stage to stage, till they destroy the lives of men, women, and children, pull down and demolish the temples of justice, and even wrap cities in flames, you and I, and our character and memory, both now and with posterity, will at least escape the consuming conflagration of reproach.

I am, Gentlemen, your much obliged servant,

DANIEL WEBSTER.

DECLARATION

OF

INDEPENDENCE.

PROCEEDINGS IN THE CONGRESS OF THE UNITED COLONIES RESPECTING "A DECLARATION OF INDEPENDENCE, BY THE REPRESENTATIVES OF THE UNITED STATES OF AMERICA, IN CONGRESS ASSEMBLED."

IN THE CONGRESS OF THE UNITED COLONIES.

Tuesday, June 11, 1776.

Resolved, That the committee, for preparing the Declaration, consist of five: — the members chosen, Mr. Jefferson, Mr. John Adams, Mr. Franklin, Mr. Sherman, and Mr. R. R. Livingston.

Monday, July 1, 1776.

The order of the day being read,

Resolved, That this Congress will resolve itself into a committee of the whole, to take into consideration the resolution respecting independency.

That the declaration be referred to said committee.

The Congress resolved itself into a committee of the whole. After some time the President resumed the chair, and Mr. Harrison reported, that the committee had come to a resolution, which they desired him to report, and to move for leave to sit again.

The resolution agreed to by the committee of the whole being read, the determination thereof was, at the request of a colony, postponed until to-morrow.

Resolved, That this Congress will, to-morrow, resolve itself into a committee of the whole, to take into consideration the declaration respecting independence.

Tuesday, July 2, 1776.

The Congress resumed the consideration of the resolution reported from the committee of the whole; which was agreed to as follows: —

Resolved, That these United Colonies are, and, of right, ought to be, Free and independent States; that they are absolved from all allegiance to the British crown, and that all political connexion between them, and the State of Great Britain, is, and ought to be, totally dissolved.

Agreeable to the order of the day, the Congress resolved iself into a committee of the whole; and, after some time, the President resumed the chair, and Mr. Harrison reported, that the committee have had under consideration the declaration to them referred; but, not having had time to go through the same, desired him to move for leave to sit again.

Resolved, That this Congress will, to-morrow, again resolve itself into a committee of the whole, to take into their further consideration the declaration respecting independence.

Wednesday, July 3, 1776.

Agreeable to the order of the day, the Congress resolved itself into a committee of the whole, to take into their further consideration the declaration; and, after some time, the President resumed the chair, and Mr. Harrison reported, that the committee, not having yet gone through it, desired leave to sit again.

Resolved, That this Congress will, to-morrow, again resolve itself into a committee of the whole, to take into their further consideration the Declaration of Independence.

Thursday, July 4, 1776.

Agreeably to the order of the day, the Congress resolved itself into a committee of the whole, to take into their further consideration the Declaration; and after some time the President resumed the chair, and Mr. Harrison reported that the committee had agreed to a declaration, which they desired him to report.

The Declaration being read, was agreed to as follows: —

A Declaration by the Representatives of the United States of America, in Congress assembled.

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which

have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these, are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established, should not be changed for light and transient causes; and, accordingly, all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies, and such is now the necessity which constrains them to alter their former systems of government. The history of the present king of Great Britain is a history of repeated injuries and usurpations, all having, in direct object, the establishment of an absolute tyranny over these States. To prove this, let facts be submitted to a candid world: —

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his Governors to pass laws of immediate and pressing importance, unless suspended in their

operation till his assent should be obtained; and, when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature; a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

He has refused, for a long time after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the State remaining, in the mean time, exposed to all the danger of invasion from without, and convulsions within.

He has endeavored to prevent the population of these States; for that purpose, obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, standing armies, without the consent of our legislature.

He has affected to render the military independent of, and superior to, the civil power.

He has combined, with others, to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock trial, from punishment, for any murders which they should commit on the inhabitants of these States:

For cutting off our trade with all parts of the world:

For imposing taxes on us without our consent:

For depriving us, in many cases, of the benefits of trial by jury:

For transporting us beyond seas to be tried for pretended offences:

For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies:

For taking away our charters, abolishing our most valuable laws, and altering, fundamentally, the powers of our governments:

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is, at this time, transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun, with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare is an undistinguished destruction, of all ages, sexes, and conditions.

In every stage of these oppressions, we have petitioned for redress, in the most humble terms; our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attention to our British brethren. We have warned them, from time to time, of attempts made by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them, by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connexions and correspondence. They, too, have been deaf to the voice of justice and consanguinity. We must, therefore, acquiesce in the necessity, which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace, friends.

We, therefore, the representatives of the UNITED STATES OF AMERICA, in GENERAL CONGRESS assembled, appealing to the Supreme Judge of the World for the rectitude of our intentions, do, in the name, and by the authority of the good people of these colonies, solemnly publish and declare, That these United Colonies are, and of right ought to be, FREE AND INDEPENDENT STATES; that they are absolved from all allegiance to the British crown, and that all political connexion between them and the state of Great Britain, is, and ought to be, totally dissolved; and that, as *FREE AND INDEPENDENT STATES*, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which INDEPENDENT STATES may of right do. And, for the support of this declaration, with a firm reliance on the protection of DIVINE PROVIDENCE, we mutually pledge to each other, our lives, our fortunes, and our sacred honor.

The foregoing declaration was, by order of Congress, engrossed, and signed by the following members:

JOHN HANCOCK.

New Hampshire.
Josiah Bartlett,
William Whipple,
Matthew Thornton.
Massachusetts Bay.
Samuel Adams,
John Adams,
Robert Treat Paine,
Elbridge Gerry.
Rhode Island.
Stephen Hopkins,
William Ellery.
Connecticut.
Roger Sherman,
Samuel Huntington,
William Williams,
Oliver Wolcott.
New York.
William Floyd,
Philip Livingston,
Francis Lewis,
Lewis Morris.
New Jersey.
Richard Stockton,
John Witherspoon,
Francis Hopkinson,
John Hart,
Abraham Clark.
Pennsylvania.
Robert Morris,
Benjamin Rush,
Benjamin Franklin,
John Morton,
George Clymer,
James Smith,
George Taylor,
James Wilson,
George Ross.
Delaware.
Cæsar Rodney,
George Read,
Thomas M'Kean.
Maryland.
Samuel Chase,
William Paca,
Thomas Stone,
Charles Carroll, of Carrollton.
Virginia.
George Wythe,
Richard Henry Lee,
Thomas Jefferson,
Benjamin Harrison,
Thomas Nelson, jun.
Francis Lightfoot Lee,
Carter Braxton.
North Carolina.
William Hooper,
Joseph Hewes,
John Penn.
South Carolina.
Edward Rutledge,
Thomas Heyward, jun.
Thomas Lynch, jun.
Arthur Middleton.
Georgia.
Button Gwinnett,
Lyman Hall,
George Walton.

Resolved, That copies of the Declaration be sent to the several assemblies, conventions, and committees, or councils of safety, and to the several commanding officers of the continental troops; that it be proclaimed in each of the United States, and at the head of the army.

THE CONSTITUTION,

As here presented and authenticated by the certificate of the Secretary of State of the United States, is correctly copied from Mr. Hickey's edition of the Constitution to which Mr. Buchanan referred. He says,—

"Several editions of the Laws printed by different individuals were compared, and it was found that one edition contained 204 and another 176 errors in punctuation of the Constitution! Many of them are material in the construction of the sentences in which they occur.

"It was also discovered, that, in the original manuscript, capital letters were used at the beginning of substantives, or nouns, as is understood to have been the practice generally in writing and printing at the time the Constitution was written. These appear to be altogether disregarded in the editions above referred to, except in words at the beginning of sentences.

"These facts induced the determination to produce *a true copy of the Constitution* in text, orthography, letter, and punctuation, and the rigid examination and subsequent verification of the Department having the care and custody of the venerated original, attest the success of the undertaking in the production of the following authentic Constitution."

CONSTITUTION

OF THE

UNITED STATES OF AMERICA.

WE the People of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquillity, provide for the common Defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this CONSTITUTION for the United States of America.

ARTICLE I.

SECTION 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION 2.

1. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

2. No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

3. Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years,

and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

4. When Vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

5. The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section 3.

1. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

2. Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one-third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

3. No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a

Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

4. The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

5. The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

6. The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

7. Judgment in Cases of Impeachment shall not extend further than to removal from Office, and Disqualification to hold and enjoy any Office of Honour, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Section 4.

1. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the places of chusing Senators.

2. The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

Section 5.

1. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in

such Manner, and under such Penalties as each House may provide.

2. Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

3. Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

4. Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three Days, nor to any other Place than that in which the two Houses shall be sitting.

Section 6.

1. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

2. No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section 7.

1. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

2. Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law,

be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

3. Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section 8.

The Congress shall have Power

1. To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

2. To borrow Money on the credit of the United States;

3. To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

4. To establish an uniform Rule of Naturalization, and

uniform Laws on the subject of Bankruptcies throughout the United States;

5. To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

6. To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

7. To establish Post Offices and post Roads;

8. To promote the progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

9. To constitute Tribunals inferior to the supreme Court;

10. To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

11. To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

12. To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

13. To provide and maintain a Navy;

14. To make Rules for the Government and Regulation of the land and naval Forces;

15. To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

16. To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the Discipline prescribed by Congress;

17. To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Maga-

zines, Arsenals, Dock-Yards, and other needful Buildings;—And

18. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section 9.

1. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or Duty may be imposed on such Importation, not exceeding ten dollars for each Person.

2. The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

3. No Bill of Attainder or ex post facto Law shall be passed.

4. No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

5. No Tax or Duty shall be laid on Articles exported from any State.

6. No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

7. No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

8. No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any Present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section 10.

1. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

2. No State shall, without the consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

3. No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of Delay.

ARTICLE II.

Section 1.

1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows

2. Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

[* The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of

* This clause within brackets has been superceded and annulled by the 12th amendment, on page 462.

the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A Quorum for this Purpose shall consist of a Member or Members from twothirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.]

3. The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

4. No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

5. In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation, or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

6. The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased

nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

7. Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—

"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will "to the best of my Ability, preserve, protect and defend the "Constitution of the United States.

Section 2.

1. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

2. He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

3. The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section 3.

He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Con-

sideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the officers of the United States.

Section 4.

The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III.

Section 1.

The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

Section 2.

1. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; — to all Cases affecting Ambassadors, other public Ministers, and Consuls; — to all Cases of admiralty and maritime Jurisdiction; — to Controversies to which the United States shall be a Party; — to Controversies between two or more States; — between a State and Citizens of another State; — between Citizens of different States, — between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

2. In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

3. The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section 3.

1. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

2. The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

ARTICLE IV.

Section 1.

Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Section 2.

1. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

2. A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in

another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

3. No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

SECTION 3.

1. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

2. The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

SECTION 4.

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

ARTICLE V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one

or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year one thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE VI.

1. All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

2. This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

3. The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

ARTICLE VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

DONE in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independance of the United States of America the Twelfth **In Witness** whereof We have hereunto subscribed our Names,

GEO WASHINGTON—

Presidt and deputy from Virginia

NEW HAMPSHIRE.

JOHN LANGDON, NICHOLAS GILMAN.

MASSACHUSETTS.

NATHANIEL GORHAM, RUFUS KING.

CONNECTICUT.

WM. SAML. JOHNSON, ROGER SHERMAN.

NEW YORK.

ALEXANDER HAMILTON.

NEW JERSEY.

WIL: LIVINGSTON, DAVID BREARLEY,
WM. PATERSON, JONA. DAYTON.

PENNSYLVANIA.

B. FRANKLIN, THOMAS MIFFLIN,
ROBT. MORRIS, GEO: CLYMER,
THO: FITZSIMONS, JARED INGERSOLL,
JAMES WILSON, GOUV: MORRIS.

DELAWARE.

GEO: READ, GUNNING BEDFORD, Jun'r,
JOHN DICKINSON, RICHARD BASSETT,
JACO: BROOM.

MARYLAND.

JAMES M'HENRY DAN: OF ST. THOS. JENIFER,
DANL. CARROLL.

VIRGINIA.

JOHN BLAIR, JAMES MADISON, Jr.,

NORTH CAROLINA.

WM. BLOUNT, RICH'D DOBBS SPAIGHT,
HU. WILLIAMSON.

SOUTH CAROLINA.

J. RUTLEDGE, CHARLES COTESWORTH PINCKNEY
CHARLES PINCKNEY, PIERCE BUTLER.

GEORGIA.

WILLIAM FEW, ABR. BALDWIN.

Attest: WILLIAM JACKSON, *Secretary*.

ARTICLES

IN ADDITION TO, AND AMENDMENT OF,

THE CONSTITUTION

OF THE

UNITED STATES OF AMERICA,

Proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth article of the original Constitution.

ARTICLE I.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

ARTICLE II.

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

ARTICLE III.

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any Criminal Case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ARTICLE VI.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have Compulsory process for obtaining Witnesses in his favour, and to have the Assistance of Counsel for his defence.

ARTICLE VII.

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

ARTICLE VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX.

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

ARTICLE XI.

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

ARTICLE XII.

1. The Electors shall meet in their respective states, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states. and a majority of all the states shall be necessary to a

choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.

2. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

DATES OF THE ADOPTION OF THE CONSTITUTION, AND OF THE AMENDMENTS.

The Constitution, ...	17th September, 1787.
The first ten Amendments, . . .	15th December, 1791.
The eleventh Amendment, . . .	8th January, 1798.
The twelfth Amendment, ...	25th September, 1804.

Department of State,
July 20th, 1846.

This edition of the Constitution and amendments has been critically compared with the original in this Department, and found to be *correct*, in *text*, *letter*, and *punctuation*. It may, therefore, be relied upon as a standard edition. (The small figures designating the clauses are not in the original, and are added merely for convenience of reference.)

James Buchanan,
Secretary of State.

By the Secretary,
N. P. Trist, Chief Clerk.

FROM THE HON. DANIEL WEBSTER, SECRETARY OF STATE OF THE UNITED STATES.

Washington, December 11th, 1850.

Dear Sir:

Understanding that you are about to publish a fourth Edition of the Book of the Constitution, I take pleasure in expressing my belief that the extensive distribution of that volume is of public and general importance. The Constitution of the United States is a written Instrument; a recorded fundamental Law; it is the *Bond*, and the only *Bond*, of the *Union* of these States; it is all that gives us a *National* character.

Almost every man in the country is capable of reading it; and that which so deeply concerns all, should be made easily accessible to all.

Yours, with very true regard,
Daniel Webster.

William Hickey, Esq.

WASHINGTON'S

FAREWELL ADDRESS

TO THE

PEOPLE OF THE UNITED STATES.

FRIENDS AND FELLOW-CITIZENS, — The period for a new election of a citizen, to administer the executive government of the United States, being not far distant, and the time actually arrived, when your thoughts must be employed in designating the person, who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprize you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation, which binds a dutiful citizen to his country; and that, in withdrawing the tender of service, which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in, the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped, that it would have been much earlier in my power, consistently with motives, which I was not at liberty to disregard, to return to that retirement, from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our

affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice, that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty, or propriety; and am persuaded, whatever partiality may be retained for my services, that, in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions, with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say, that I have, with good intentions, contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious, in the outset, of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and every day the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied, that, if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe, that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment, which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude, which I owe to my beloved country for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead, amidst appearances sometimes dubious, vicissitudes of

fortune often discouraging, in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts, and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free constitution, which is the work of your hands, may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete, by so careful a preservation and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation, which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments, which are the result of much reflection, of no inconsiderable observation, and which appear to me all-im portant to the permanency of your felicity as a People. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of Government, which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence, the support of your tranquillity at home, your peace abroad; of your safety; of your prosperity; of that very Liberty, which

you so highly prize. But as it is easy to foresee, that, from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment, that you should properly estimate the immense value of your national Union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the Palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion, that it can in any event be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens, by birth or choice, of a common country, that country has a right to concentrate your affections. The name of AMERICAN, which belongs to you, in your national capacity, must always exalt the just pride of Patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together; the Independence and Liberty you possess are the work of joint counsels, and joint efforts, of common dangers, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those, which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the Union of the whole.

The *North*, in an unrestrained intercourse with the *South*, protected by the equal laws of a common government, finds,

in the productions of the latter, great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The *South*, in the same intercourse, benefiting by the agency of the *North*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *North*, it finds its particular navigation invigorated; and, while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *East*, in a like intercourse with the *West*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find, a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *West* derives from the *East* supplies requisite to its growth and comfort, and, what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyment of indispensable *outlets* for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *West* can hold this essential advantage, whether derived from its own separate strength, or from an apostate and unnatural connexion with any foreign power, must be intrinsically precarious.

While, then, every part of our country thus feels an immediate and particular interest in Union, all the parts combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from Union an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same governments, which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence, likewise, they will avoid the necessity of those overgrown military establishments, which, under any

form of government, are inauspicious to liberty, and which are to be regarded as particularly hostile to Republican Liberty. In this sense it is, that your Union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the UNION as a primary object of Patriotic desire. Is there a doubt, whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope, that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to Union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those, who in any quarter may endeavour to weaken its bands.

In contemplating the causes, which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *Geographical* discriminations, *Northern* and *Southern*, *Atlantic* and *Western*; whence designing men may endeavour to excite a belief, that there is a real difference of local interests and views. One of the expedients of party to acquire influence, within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heartburnings, which spring from these misrepresentations; they tend to render alien to each other those, who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head; they have seen, in the negotiation by the Executive, and in the unanimous ratification by the Senate, of the treaty with Spain, and in the universal satisfaction at that event, throughout the United States, a decisive proof how un-

founded were the suspicions propagated among them of a policy in the General Government and in the Atlantic States unfriendly to their interests in regard to the MISSISSIPPI; they have been witnesses to the formation of two treaties, that with Great Britain, and that with Spain, which secure to them every thing they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the UNION by which they were procured? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren, and connect them with aliens?

To the efficacy and permanency of your Union, a Government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions, which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a Constitution of Government better calculated than your former for an intimate Union, and for the efficacious management of your common concerns. This Government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true Liberty. The basis of our political systems is the right of the people to make and to alter their Constitutions of Government. But the Constitution which at any time exists, till changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish Government presupposes the duty of every individual to obey the established Government.

All obstructions to the execution of the Laws, all combinations and associations, under whatever plausible char-

acter, with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force; to put, in the place of the delegated will of the nation, the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common counsels, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines, which have lifted them to unjust dominion.

Towards the preservation of your government, and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular oppositions to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect, in the forms of the constitution, alterations, which will impair the energy of the system, and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions; that experience is the surest standard, by which to test the real tendency of the existing constitution of a country; that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change, from the endless variety of hypothesis and opinion; and remember, especially, that, for the efficient management of your common interests, in a country so extensive as ours, a government of as much vigor as is consist-

ent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party, generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. t exists under different shapes in all governments, more or less stifled, controlled, or repressed; but, in those of the popular form, it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge, natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries, which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation, on the ruins of Public Liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight,) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the Public Councils, and enfeeble the Public Administration. It agitates the Community with ill-founded jealousies and false alarms; kindles the

animosity of one part against another, foments occasionally riot and insurrection. It opens the door to foreign influence and corruption, which find a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion, that parties in free countries are useful checks upon the administration of the Government, and serve to keep alive the spirit of Liberty. This within certain limits is probably true; and in Governments of a Monarchical cast, Patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in Governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And, there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest, instead of warming, it should consume.

It is important, likewise, that the habits of thinking in a free country should inspire caution, in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominates in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the Guardian of the Public Weal against invasions by the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any par-

ticular wrong, let it be corrected by an amendment, in the way which the constitution designates. But let there be no change by usurpation; for, though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit, which the use can at any time yield.

Of all the dispositions and habits, which lead to political prosperity, Religion and Morality are indispensable supports. In vain would that man claim the tribute of Patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of Men and Citizens. The mere Politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connexions with private and public felicity. Let it simply be asked, Where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths, which are the instruments of investigation in Courts of Justice? And let us with caution indulge the supposition, that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who, that is a sincere friend to it, can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is, to use it as sparingly as possible; avoiding occasions of expense by cultivating peace, but remembering also that timely

disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts, which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burthen, which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should coöperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be Revenue; that to have Revenue there must be taxes; that no taxes can be devised, which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment, inseparable from the selection of the proper objects (which is always a choice of difficulties), ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all Nations; cultivate peace and harmony with all. Religion and Morality enjoin this conduct; and can it be, that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great Nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt, that, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages, which might be lost by a steady adherence to it? Can it be, that Providence has not connected the permanent felicity of a Nation with its Virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential, than that permanent, inveterate antipathies against particular Nations, and passionate attachments for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The Nation, which

indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable, when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed, and bloody contests. The Nation, prompted by ill-will and resentment, sometimes impels to war the Government, contrary to the best calculations of policy. The Government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty, of Nations has been the victim.

So likewise, a passionate attachment of one Nation for another produces a variety of evils. Sympathy for the favorite Nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducement or justification. It leads also to concessions to the favorite Nation of privileges denied to others, which is apt doubly to injure the Nation making the concessions; by unnecessarily parting with what ought to have been retained; and by exciting jealousy, ill-will, and a disposition to retaliate, in the parties from whom equal privileges are withheld. And it gives to ambitious, corrupted, or deluded citizens, (who devote themselves to the favorite nation,) facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding, with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such

attachments are particularly alarming to the truly enlightened and independent Patriot. How many opportunities do they afford to tamper with domestic factions, to practise the arts of seduction, to mislead public opinion, to influence or awe the Public Councils! Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow-citizens,) the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of Republican Government. But that jealousy, to be useful, must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defence against it. Excessive partiality for one foreign nation, and excessive dislike of another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connexion as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off, when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality,

we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forgo the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But, in my opinion, it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing, with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that, by such acceptance, it may place itself in the

condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion, which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course, which has hitherto marked the destiny of nations. But, if I may even flatter myself, that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare, by which they have been dictated.

How far in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my Proclamation of the 22d of April, 1793, is the index to my Plan. Sanctioned by your approving voice, and by that of your Representatives in both Houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take, a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it, with moderation, perseverance, and firmness.

The considerations, which respect the right to hold this conduct, it is not necessary on this occasion to detail. I

will only observe, that, according to my understanding of the matter, that right, so far from being denied by any of the Belligerent Powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavour to gain time to our country to settle and mature its yet recent institutions, and to progress without interruption to that degree of strength and consistency, which is necessary to give it, humanly speaking, the command of its own fortunes.

Though, in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope, that my Country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man, who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat, in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow-citizens, the benign influence of good laws under a free government, the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors, and dangers.

GEORGE WASHINGTON.

United States,
September 17*th*, 1796.

The following Note is taken from Mr. Sparks's edition of the Writings of Washington, from which the Farewell Address is *correctly* copied, in text, orthography, and punctuation:—

This ADDRESS is here printed from a copy of "*Claypoole's American Daily Advertiser*," for September 19, 1796. On this paper are indorsed the following words, in Washington's handwriting, which were designed as an instruction to the copyist, who recorded the ADDRESS in the letter book:—

"The letter contained in this gazette, addressed 'To the People of the United States,' is to be recorded, and in the order of its date. Let it have a blank page before and after it, so as to stand distinct. Let it be written with a letter larger and fuller than the common recording hand. And where words are printed with capital letters, it is to be done so in recording. And those other words, that are printed in italics, must be scored underneath and straight by a ruler."

CHRONOLOGICAL SERIES OF EVENTS IN THE EARLY PART OF MR. WEBSTER'S LIFE.

Born 18th of January, 1782, in Salisbury,* N. H.
Sent to Exeter Academy May, 1796, and remained only a few months.
Prepared for college by the Rev. Mr. Wood, of Boscawen.
Entered Dartmouth College in 1797.
Completed his college course in August, 1801, and immediately entered the office of Mr. Thompson, next door neighbor to his father, as a student of law. Mr. Thompson was a gentleman of education and intelligence, and was afterward a member of both houses of Congress. Mr. Webster remained in his office till, in the words of Mr. March, "he felt it necessary to go somewhere and do something to earn a little money." In this emergency, application was made to him to take charge of an academy at Fryeburg, in Maine, upon a salary of about one dollar *per diem*. As he was able, besides, to earn enough to pay for his board and to defray his other expenses by acting as assistant to the register of deeds for the county, his salary was all saved — a fund for his own professional education, and to help his brother through college. In July, 1804, he took up his residence in Boston. Before entering upon the practice of his profession, he enjoyed the advantage of pursuing his legal studies for six or eight months in the office of the Hon. Christopher Gore. This was a fortunate event for Mr. Webster. Mr. Gore, afterwards Governor of Massachusetts, was a lawyer of eminence, a statesman, and a civilian, a gentleman of the old school of manners, and a rare example of distinguished intellectual qualities united with practical good sense and judgment. We will close this notice by an extract from Mr. Choate's Eulogy, delivered before the Faculty, Students, and Alumni of Dartmouth College, commemorative of Daniel Webster: —

"And so he has put on the robe of manhood, and has come to do the work of life. Of his youth there is no need to say more. It had been pure, happy, strenuous; in many things privileged. The influence of home, of his father and the excellent mother, and that noble brother whom he loved so dearly and mourned with such sorrow — these influences on his heart, principles, will, aims, were elevated and strong. At an early age, comparatively, the then great distinction of liberal education was his. His college life was brilliant and without a stain; and in moving his admission to the bar, Mr. Gore presented him as one of extraordinary promise: —

* In 1828, the town of Franklin was incorporated from parts of four towns, and included that part of Salisbury in which the Webster homestead was situated.

'With prospects bright upon the world he came —
Pure love of virtue, strong desire of fame;
Men watched the way his lofty mind would take,
And all foretold the progress he would make.'

"And yet, if on some day, as that season was drawing to its close, it had been foretold to him that before his life, prolonged to little more than threescore years and ten, should end, he should see that country in which he was coming to act his part expanded across a continent, — the thirteen states of 1801 multiplied to thirty-one, the territory of the North-West, the great valley below, sown full of those stars of empire, the Mississippi forded, and the Sabine, the Rio Grande, and the Nueces, the ponderous gates of the Rocky Mountains opened to shut no more, the great tranquil sea become *our* sea, — her area seven times larger, her people five times more in number — that through all the experiences of trial, the madness of party, the injustice of foreign powers, the vast enlargement of her territory, the antagonism of interior interest and feeling, the spirit of nationality would grow stronger still and more plastic, — that the tide of American feeling would run ever fuller — that her agriculture would grow more scientific — her arts more various and instructed, and better rewarded — her commerce winged to a wider and still wider flight, — that the part she would play in human affairs would grow nobler ever and more recognized, — that in this vast growth of national greatness, time would be found for the higher necessities of the soul, — that her popular and her higher education would go on advancing — that her charities and all her enterprises of philanthropy would go on enlarging — that her age of lettered glory should find its auspicious dawn; and then it had also been foretold him that even so, with her growth and strength, should his fame grow and be established and cherished, there where she should garner up her heart; — that by long gradations of service and labor he should rise to be, before he should taste of death, of the peerless among her great ones — that he should win the double honor, wear the double wreath, of professional and public supremacy; that he should become her wisest to counsel, and her most eloquent to persuade; that he should come to be called the Defender of the Constitution and Preserver of Honorable Peace, that the 'austere glory of differing' to save the Union should be his, — that his death, at the summit of greatness, on the verge of a ripe and venerable age, should be distinguished less by the flags at half mast on ocean and lake, less by the minute gun, less by the public procession and the appointed eulogy, than by sudden paleness overspreading all faces, by gushing tears, by sorrow, thoughtful, boding, silent, the sense of desolation, as if renown and grace were dead — as if the hunters' path and the sailors', in the great solitude of the wilderness or sea, henceforward were more lonely and less safe than before, — had this prediction been whispered, how calmly had that perfect sobriety of mind put it all aside as a pernicious or idle dream! Yet in the fulfilment of that prediction is told the remaining story of his life."

It is related by the friends of Mr. Webster who were present at his death, that, a short time before he breathed his last, he fell into a light slumber, which lasted some time; and when he awoke, he opened his eyes, and, realizing where he was, spoke, in his deep-toned voice, I STILL LIVE! Prophetic words, and will be true as long as the English language is spoken.

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Abbreviations used in the references.
Article, Art. — *Section*, sec. — *Clause*, cl. — *Page*, p.

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